PLANNING BOARD

Tuesday, September 23, 2025 at 4:30 PM
Room 24 (Ground Level of City Hall) and Zoom

MEMBERS
Brandon Mazer, Chair
David Silk, Vice Chair
Austin Smith
Nicholas Messina
Joseph Zamboni
Kelsey Robertson
Michael Joseph Fox

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AGENDA:

WORKSHOP - 4:30 PM

i. Major Site Plan; 45 Union Street; East Brown Cow - Kowtower, LLC., Applicant. The Planning Board will hold a hybrid workshop to consider an application for the development of a 30-story, approximately 199,803 square-foot mixed-use residential commercial building, with 73 residential condominiums and an 88-room hotel, located at 45 Union Street within the Downtown Business B-3 zone. A project and plan summary are available for viewing on the city's CSS Portal (https://css.portlandmaine.gov/) by referencing Plan Number PL-003157-2024.

ii. Major Site Plan; 16 Purington Way; Main-Land Development Consultants, Inc., Applicant. The Planning Board will hold a hybrid workshop to consider an application for the development of eight new dwelling units across two lots. Each lot will contain two duplexes, totaling four units per lot, with eight off-street parking spaces, one space allocated per unit. The subject property is located within the Residential Neighborhood RN-3 zone. A project and plan summary are available for viewing on the city's CSS Portal (https://css.portlandmaine.gov/) by referencing Plan Number PL-003302-2025.

PUBLIC HEARING - 5:30 PM

1. ROLL CALL AND DECLARATION OF QUORUM

2. COMMUNICATION AND REPORTS

Historic Designations Interactive Web-Based Map: Historic Preservation staff will present to the Board the newly launched interactive web-based map of Portland's local historic designations.

3. REPORT OF ATTENDANCE AT THE MEETING HELD ON SEPTEMBER 9, 2025.

Public Hearing
76 St. James Street: Fox, Messina, Robertson, Silk and Zamboni present. Mazer and Smith absent.

4. REPORTS OF DECISIONS AT THE MEETING HELD ON SEPTEMBER 9, 2025.

i. Major Site Plan; 76 St. James Street; City of Portland, Applicant. Zamboni motioned and Robertson seconded a motion to waive Technical Manual Section 13.6.1.D.2.a, which states that one bicycle parking space shall be provided for every 1,000 square feet of lot area; and to waive Technical Manual Section 13.6.2.B.1.A, which states that new development shall provide a certain number of trees or landscape plantings per 5,000 square feet of lot area. Vote 5-0 (Mazer and Smith absent). Zamboni motioned, and Robertson seconded a motion to approve the major site plan application. Vote 5-0 (Mazer and Smith absent). Zamboni motioned, and Robertson seconded a motion to adopt the draft approval letter as the Board's decision, and to authorize the Board Chair to sign the letter as drafted. Vote 5-0 (Mazer and Smith absent).

5. NEW BUSINESS

i. Text Amendment to Inclusionary Zoning for Hotel Projects; City of Portland, Applicant. The Planning Board will hold a hybrid public hearing to consider amendments to Article 17 of the City of Portland Land Use Code, which would amend the City's hotel inclusionary zoning requirements.

To:	Chair Brandon Mazer & Members of the Planning Board
From:	Eric Freeman
Date:	September 17, 2025
Re:	45 Union Street
Project ID:	PL-003157-2024
CBL:	032 -I040
Meeting Date:	September 23, 2025

I. INTRODUCTION

East Brown Cow Management LLC and Woodard & Curran Engineering have submitted a Major Site Plan and Traffic Movement Permit application that would facilitate the construction of a 30-story mixed-use building with hotel, retail, restaurant, and residential units as well as new public realm improvements at 45 Union Street within the B-3 Downtown Business zone.

This application is being referred to the Planning Board for compliance with the City of Portland's Land Use Code Site Plan Standards, Section 13.6. Additionally, this application is required to meet the City of Portland's inclusionary zoning requirements outlined in Section 17.2 of the City's Land Use Code.

The Planning and Urban Development Department mailed 239 notices advertising this meeting to property owners within 500 feet of the site. A legal advertisement ran in the September 11 and September 12, 2025 edition of the Portland Press Herald.

Applicant: East Brown Cow Management LLC
Applicant Representatives: Woodard & Curran, Safdie Architects



Figure 1: Project Rendering

II. REQUIRED REVIEWS

Review	*Applicable Standards*
Site Plan	Section 13.6
Inclusionary Zoning (Residential)	Section 17.2
Inclusionary Zoning (Hotel)	Section 17.2.4
B-3 Design Standards	City of Portland Design Manual (A)

Project Data	
Existing Zoning	B-3 Downtown Business zone
Property Size	25,397
Existing Use	Surface parking lot.
Proposed Development Program	30-story mixed use tower with 73 residential units, 88 hotel rooms, restaurant, retail and amenity space. New public plaza and landscaping

III. EXISTING CONDITIONS AND SURROUNDING AREA

The existing site is located in the Old Port Neighborhood, in the interior of the block bounded by Union, Middle, Exchange and Fore Streets. The site currently features a 33-space surface parking lot located between the Fore Street parking garage and a 10-story office building at 200 Middle Street that is associated with Old Port Square, formerly known as One Canal Plaza. The parking lot is accessed via a drive aisle from Union Street. The site also features concrete sidewalks, providing a mid-block pedestrian access from Exchange Street.. A stairwell connects the site to the Old Port Square courtyard on Middle Street. The surrounding neighborhood is within the heart of Portland's downtown core and features a wide range of uses, including commercial office, retail, restaurants, bars, hotels, theaters & performance halls, as well as residential units. Old Port Square, is comprised of four-buildings including 190 Middle Street, a seven-story office building, 200 Middle Street, a 10-story office building, that recently underwent significant renovation intended to activated the ground-floors of the building with more active uses, 220 Middle Street, a five-story office building, and 210 Middle Street, a small free-standing 1,350-square-foot structure located within the middle of Old Port Square. To the east is the Old Port Square Garage, a four-story structure with ground-level commercial space, and the Hyatt Place Portland Downtown–Old Port. Constructed in 2012 and opened in 2014, the hotel is located on an approximately 19,000-square-foot lot that was formerly a surface parking lot, and includes 130 rooms along with ground-level restaurant space.



Figure 2: Old Port Square (Source: East Brown Cow)



Figure 3: Old Port Square Garage (Source: East Brown Cow)



Figure 4: Hyatt Place Hotel (Source: East Brown Cow)



Figure 5: Proposed Development Site outlined in yellow

IV. PROPOSED DEVELOPMENT

A. Site Plan

The proposed development involves the construction of a 30-story, 365-foot mixed-use tower with 73 residential units, 88 hotel rooms, retail, restaurant and amenity space. The proposed tower would feature approximately 200,000 square feet of gross floor area with an average floorplate of

6,600 square feet.

The site would be accessed via a 24-foot drive aisle connected to Union Street via an existing curb cut between the Central Maine Power Substation and the 200 Middle Street office building. The drive aisle would terminate in a one-way motor court, allowing for hotel valet pick-up and drop-off. The drive aisle and motor court would be paved with granite pavers. A new 13-foot sidewalk would extend along the northern edge of the drive aisle along the frontage of the 200 Middle Street office building. This sidewalk would feature 10 new tree plantings and be paved with brick.

The new tower would be surrounded by a public plaza connected to existing sidewalks on Exchange, Union and Fore Streets. This plaza would feature new tree plantings, perennial plantings and seating areas. Site grades would be modified to provide a flat pad for the building. Stairs and accessible ramps would connect upper and lower levels of the new public plaza.

The site will be served by a 6-inch domestic water service and two 8-inch fire service lines connecting to existing stubs on Union Street. Electrical service will extend to the site from Union Street via below-grade conduits.

B. Building Programing

The ground floor of the proposed building would feature separate lobbies for residential and hotel users fronting the motor court on the southern side of the building. The two lobbies would have shared access to a central elevator landing. A proposed café space would front the pedestrian courtyard on the northern side of the building. The ground floor would also house service entrances, luggage storage and a mail room.

Levels two through 10 would feature hotel rooms, with eight to 10 rooms per level.

Levels 11 and 12 would be dedicated to mechanical and service space and would not be accessible to residents or hotel guests.

Level 13 would feature a “wellness level” with a pool, fitness center and other amenity space for the 73 residential units.

Levels 14-28 would be dedicated to residential use, with 26 two-bedroom units and 47 one-bedroom units.

The top two levels of the building would feature a restaurant, publicly-accessible observation area, hotel reception area and lounge within the building’s 40-foot architectural cap.

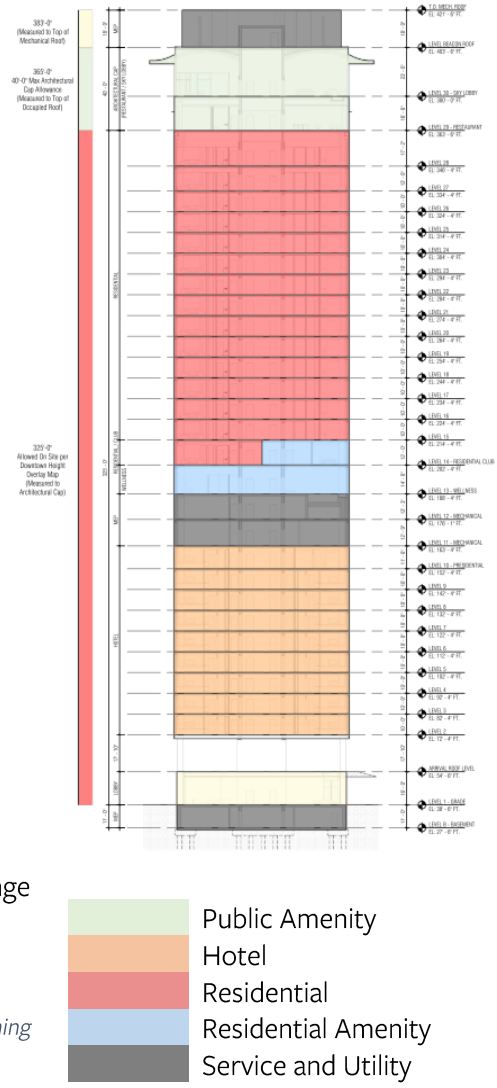

Figure 6: Building Programing

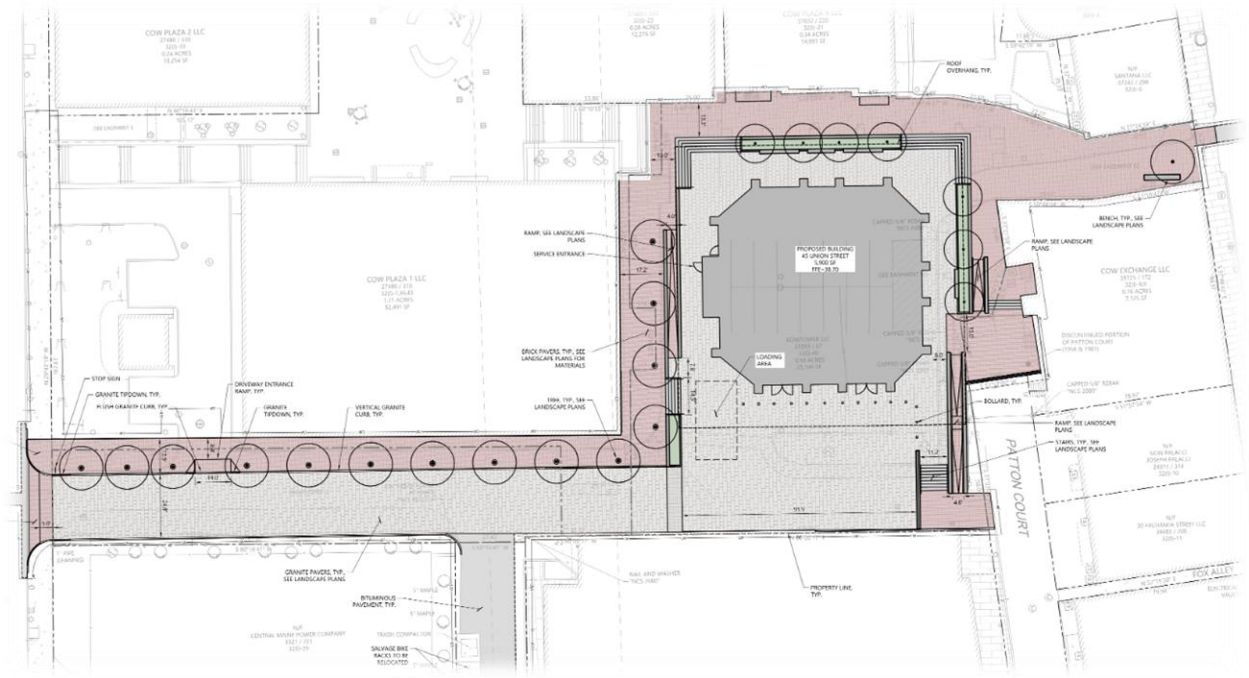

Figure 7: Overall Site Plan

V. RIGHT, TITLE, & INTEREST

The applicant has demonstrated sufficient right, title and interest to the parcel involved in this application. The applicant has also provided documentation regarding the ownership of surrounding properties. The subject lot was conveyed together with associated rights and easements to East Brown Cow Management LLC on April 3, 2009. Conveyance of this parcel is recorded in the Cumberland County Registry of Deeds Book 27480, Page 310.

Full Right, Title and Interest documentation is included as attachment F

VI. FINANCIAL & TECHNICAL CAPACITY

East Brown Cow Management LLC manages a portfolio of 26 properties in the Portland area. The applicant owns and manages 10 properties surrounding the 45 Union Street site. East Brown Cow maintains lending relationships with several local and regional banks and has experience securing construction financing for development projects. Full financial capacity documentation is included as attachment E

Woodard & Curran is an established firm that has demonstrated experience developing large- scale developments throughout Maine and New England.

VII. ZONING ANALYSIS

The site is located within the B-3 Downtown Business zone. As outlined in Table 5-D of the Land Use Code, the purpose of the B-3 zone is: *"To maintain and enhance the role of the downtown as the business and commercial center of the region, and to enhance and promote the orderly expansion of retail and service businesses downtown, satisfying the related needs of the city's resident, working, and visitor populations. The B-3 zone encourages increased housing*

opportunities downtown, including three-family, four-family, townhouse, and multi-family structures to accommodate Portland's diverse residential population, and supports an active, walkable pedestrian environment through the encouragement of intensive mixed-use activities, enhancement and maintenance of public and private open space, and the enlivenment and increased attractiveness of the street environment. Standards of the B-3 zone require excellence in urban design, to preserve and capitalize on the unique character and historic fabric of downtown Portland by encouraging reuse of significant existing structures and providing opportunities for an enhanced presence and integration of arts and cultural activities. The zone reinforces the role of downtown as a meeting place for community residents and visitors alike from all walks of life and all socio- economic groups by prioritizing access via multiple modes of transportation and enhancing and protecting the pedestrian environment."

As submitted, this application is consistent with the dimensional requirements of the B-3 zone. A zoning analysis of the proposed project is provided in the table below:

	Required	Proposed
Lot Size	None	25,397 SF
Maximum Height (ft)	325 ft.	325 ft. (See Section B below)
Architectural Cap	40 ft.	40 ft. (See Section B below)
Tower Floorplate	10,000 SF over 125 ft.	6,600 SF.
Build-to Zone	0-5 ft.	This application is utilizing the build-to zone exception outlined in Section 7.6.5.B.3 (See Section C below)
Step Back	30 ft. above 125 ft.	Building is greater than 100 feet from public ROW

Height and Architectural Cap.

Section 7.5.3.E (Architectural Cap Allowance) permits a tower to extend up to 40 feet above the designated height limit for the purpose of enclosing rooftop appurtenances and providing a distinctive architectural cap that adds visual interest to the Portland skyline. Per *Section 7.5.3.E.2*, no habitable floor area may be created within the building envelope of an architectural cap unless at least 50% of that floor area is devoted exclusively to one or more uses open to the public (e.g., a restaurant, atrium, or viewing area). Any such floor area should be clearly incidental to the cap's design expression, rather than a continuation of the lower floor plates.

The applicant is proposing a 40-foot architectural cap that would be publicly accessible and include restaurant and lounge space, viewing areas, and a reception area for the hotel, while providing a distinctive design element that contributes visual interest to the building and the Portland skyline. This proposal meets the requirements of Section 7.5.3.E, by providing a clear and distinct termination of the building, and follows the general design principle of base–middle–top composition while also creating amenity space for the public to visit.

Beyond the architectural cap, other associated rooftop appurtenances extend above the cap and are appropriately screened. Under Section 7.6.1.E (Exceptions for Rooftop Appurtenances), rooftop elements such as elevator and stairway housings, access vestibules, tanks, fans, or other building equipment not intended for human occupancy, as well as pedestal paver systems and decks up to 18 inches above the roof

surface, deck railings or guards, skylights, steeples, flagpoles, chimneys, smokestacks, water tanks, or silos, may be erected above the height limitations.

Build-To Zone.

As stated in Section 7.6.5.B.3 of the City of Portland's Land Use Code, The Planning Board or Planning Authority may approve a different front setback or build-to zone for irregularly shaped lots provided the front setback or build-to zone is met to the maximum extent practicable. The Planning Authority have found that the subject property qualifies as an irregularly shaped lot.

Residential Inclusionary Zoning

As outlined in Section 17.2.3 of the City of Portland's Land Use Code, this application is subject to Inclusionary Zoning standards and is required to provide at least 25% (18) of the units as workforce housing. The applicant has indicated that they intend to pay a fee-in-lieu into the City's Jill C. Duson Housing Trust Fund for all of the required affordable units.

Hotel Inclusionary Zoning

As outlined in Section 17.2.4 of the City of Portland's Land Use Code, this application is subject to hotel Inclusionary Zoning standards. The applicant intends to pay a fee-in-lieu into the City's Jill C. Duson Housing Trust Fund for the 88 guest rooms

VIII. SITE PLAN STANDARDS (Section 13.6)

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland's Site Plan Ordinance, Section 13.6. Staff comments are below.

1. Transportation Standards (Section 13.6.1

A. Impact on surrounding street systems

Vehicular access to the site will be provided via a 24-foot drive aisle connecting to Union Street at the same location as an existing curb cut. The drive aisle would be paved with granite pavers and terminate at a motor court with a one-way loop to allow for drop-off and valet operations. No alterations to on-street parking or traffic movements are proposed.

Loading and servicing for the proposed building would occur within a designated portion of the motor court and would not impact public rights-of-way. The applicant has provided vehicle turning templates for the motor court area. Staff are requesting additional turning templates detailing vehicle movements while the loading area is occupied.

This application will require a Traffic Movement Permit (TMP) The City has delegated review authority for TMP applications, A Scoping Document is currently being prepared by traffic consultant, Barton & Loguidice, which will be submitted to the City for review.

The Scoping Document will be refined and the area of study determined in coordination with the City. Subsequently, a Traffic Impact Study will be completed to detail the necessary off-site traffic mitigation and safety measures.

B. Access and circulation

Pedestrian access to the site is provided via a new ADA-compliant curbed sidewalk from Union Street. ADA compliant ramps would provide pedestrian access to the site from Fore Street/Patton Court. Continuous internal circulation is provided with connections to existing public sidewalks on Exchange, Fore and Union Streets. All new sidewalks and internal walkways will be paved using brick.

Additional pedestrian connectivity to Middle Street is provided with a stairway leading to the Canal Plaza courtyard. These access routes provide interconnection with a new centralized pedestrian plaza which would wrap around the ground level of the building. This courtyard will feature landscaping and publicly accessible seating.

The applicant proposes to reconstruct a 10' portion of sidewalk on Exchange Street and close an existing discontinued curb cut.



Figure 8: Overall Site Access & Circulation

C. Public transit access

There are existing transit shelters within ¼ mile of the site at the intersection of Congress and Temple Streets.

D. Parking

There are no parking requirements associated with this application. This application does not propose any on-site vehicular parking. Hotel valet parking will be provided within the adjacent 423-space Fore Street garage, which is owned by the applicant. Residential parking will be offered as a separate, one-demand amenity.

Planning Staff have requested the applicant provide additional detail regarding the anticipated use and availability of space within the Fore Street garage.

As outlined in Table 18-A of the Land Use Code, this application is required to provide one bicycle parking space per two dwelling units (36 spaces). An additional six bicycle parking spaces are required based on the combined floor area of the building's amenity spaces. This application proposes storage for up to 43 bicycles either on-site or within adjacent properties owned by the applicant.

Staff are requesting additional information related to the final location and typology of bicycle parking.

E. Transportation demand management (TDM)

The proposed mixed-use building is over 50,000 square feet of floor area and is required to provide a Transportation Demand Management (TDM) plan. The applicant has provided a draft TDM plan which outlines trip reduction strategies including:

- Proving new residents with credit on the "DiroGo" app to use transit services
- Detaching parking spaces from residential units. Residential parking will be provided on an as-requested basis.
- Promoting telecommuting for residents
- Incentive credits for hotel guests to complete a TDM survey

Staff have provided comments recommending the applicant provide additional clarity and detail regarding targeted mode share, explore additional trip reduction strategies and altering monitoring practices.

The draft TDM plan is included as attachment H.

2. Environmental Quality Standards (Section 13.6.2)

A. Preservation of significant natural features

The existing site is 100% impervious. There are no natural features such as streams, wetlands or stands of mature trees on the existing site.

The applicant has provided a Low-Impact Development (LID) scorecard demonstrating compliance with LID standards. The applicant received a passing score of 81 out of a possible 178 points. LID strategies include:

- Redeveloping an existing urban infill site
- Building on a site with no streams or wetlands
- Using only locally-sourced plantings
- Minimizing impervious area by eliminating on-site parking

- Utilizing approved best-management practices for stormwater treatment and detention

The full LID scorecard is included as attachment I.

B. Site landscaping and buffers

The site would feature 20 new shade tree plantings within the pedestrian courtyard and lining the walkway to Union Street. This exceeds planting requirements for the 25,400 SF lot. Additional plantings include bushes and seasonal flowerbeds. Proposed plantings meet technical manual standards.

One new street tree will be planted along Union Street to satisfy street tree requirements. Staff have encouraged the applicant to identify other opportunities on Union or Exchange Streets for new street tree plantings.

Loading and servicing locations would be located within a designated area of the motor court and would not be immediately visible from public rights-of way.

All pedestrian areas are proposed to be paved with brick to extend the sidewalk material of the Old Port into the site. The drive aisle will be paved with granite pavers.

The applicant will be required to demonstrate that hardscaped surfaces would have a minimum initial solar-reflectivity (SRI) of 33 or greater.

The applicant has provided a landscaping plan included as attachment 15

C. Water quality/storm water management/erosion control

The project results in the creation of more than 1,000 square feet of new impervious surface and is required to provide for stormwater management in accordance with Maine DEP Chapter 500 and City of Portland Technical Manual Section 5 standards for stormwater management. The applicant has submitted a full stormwater management plan demonstrating compliance with both Section 5 of the Technical manual and Maine DEP chapter 500 standards.

The proposed development would result in approximately 0.84 acres of disturbance and approximately 0.83- acres of impervious area. The project would result in a net change in impervious area of less than 0.2 acres.

Stormwater Treatment from the plaza , motor court and building will be managed via a subsurface sand filter and R-tank designed based on the Maine Department of Environmental Protection's stormwater BMP manual. Treated stormwater will be discharged into combined sewers.

The applicant's stormwater management plan is currently being reviewed by a third-party.

3. Public Infrastructure and Community Safety Standards (Section 13.6.3)

A. Consistency with City Master Plans

This application meets the dimensional requirements and use standards of the B-3 zone, which demonstrates consistency with the City's Comprehensive Plan.

B. Public Safety and Fire Prevention

Emergency vehicles would have access to the building and public plaza via the 24' drive aisle connected to Union Street. Larger emergency vehicles would utilize the existing alleyway between the Fore Street garage and Central Maine Power substation to enable turn-around movements. Turning templates have been provided for fire trucks and ambulances. The applicant is proposing to install a new fire hydrant at the intersection of the drive aisle and Union Street.

Given the site's urban character and surrounding active uses, the public plaza will promote natural surveillance and visibility while enhancing the usability of what is currently an underutilized space.

C. Availability and capacity of public utilities

The site would be served by a 6-inch domestic water service line and two 8-inch fire service lines extending from an existing stub on Union Street. A 6-inch sewer service would connect to an existing 15-inch cement pipe from the adjacent 200 Middle Street building which drains via gravity to a 24-inch sewer main on Exchange Street.

The Department of Public Works (DPW) Water Resources staff is requesting that the applicant modify their proposed sewer and stormdrain plan to connect to the 18-inch sewer main in Union Street, as shown in figure 9

2-inch natural gas main would be extended from Patton Court into the site.

Solid waste would be collected by a private hauler.

The applicant has requested ability to serve letters from Central Maine Power and Portland Water district.

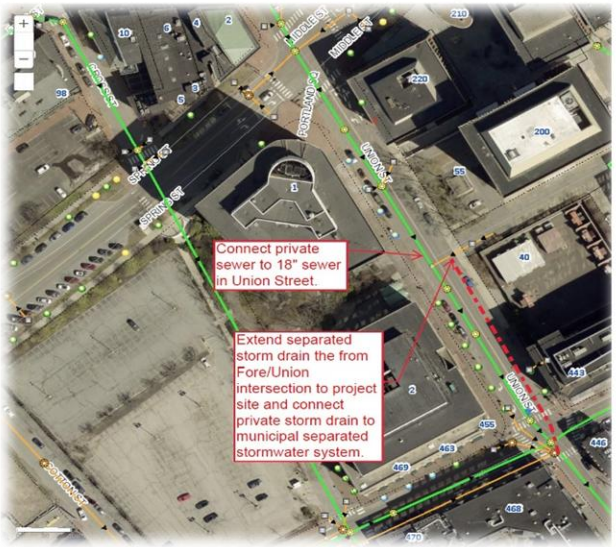

Figure 9: Recommended Utility Connections

4. Site Design Standards (Section 13.6.4)

A. Massing, ventilation, and wind impact

The applicant has indicated that a wind impact study is being prepared. This study would detail potential massing and wind impacts of the proposed tower. These materials will be required in

advance of any future meeting.

Additionally, the applicant will be required to demonstrate that proposed roofing materials have an initial solar reflectivity of 82 or greater.

B. Shadows

The proposed building is over 65 feet in height and is required to provide a shadow study detailing the impacts the proposed building would have on nearby public open space. The applicant provided a draft shadow study on September 16, 2025. which is included as attachment N . Staff have not had sufficient time to review the provided shadow study.

C. Snow and ice loading

Snow removal on-site will be managed using a snow melter. Snow accumulated on driveways, walkways, and other paved surfaces will be collected and transported to a designated snow melting area an adjacent commonly-owned lot. The snow melter will convert snow to water, which will then be directed to the site drainage system per applicable stormwater management requirements.

The applicant has detailed areas where snow will be collected and transported. Snow storage is not anticipated to impact sidewalks or public rights-of-way.

View corridors

Not applicable. This application is not within a protected view corridor.

D. Historic resources

Not applicable. This proposed building is not located within a historic district and does not require historic preservation review. Note that a small portion of the walkway to Exchange Street is within a historic district.

E. Exterior lighting

The applicant has not provided a photometric plan or lighting detail sheets. These materials will be required in advance of any future meeting.

F. Noise and vibration

HVAC, air handling units, and other necessary equipment will be installed on the roof of the building and would be screened within a mechanical penthouse. Given the placement of HVAC generators and other equipment, there are no anticipated impacts anticipated on abutting properties.

G. Signage and wayfinding

No wayfinding signage is proposed as part of this application.

H. Zoning-related design standards

This application was subject to a design review as outlined in the City of Portland Design Manual section (A) (*B-3 Downtown Business Zone &TOD Design Standards*). A design memo was provided to the applicant by Planning Staff on September 11, 2025.

Design recommendations included:

- Adding an additional entrance at the northeast corner of the building to create a more distinct entry to the proposed café space.
- Providing additional outdoor seating within the public plaza to promote site use and activation.
- Realigning the stairs surrounding the building to reflect the geometry and shape of the building
- Site lighting to match the City's decorative Old Port light fixtures

The full design memo is included as attachment S2.

IX. NEIGHBORHOOD MEETING & PUBLIC COMMENT

The applicant held a neighborhood meeting on Tuesday, September 2, 2025 at 5:30 PM. The in-person meeting was held at 200 Middle Street.
Public comment centered on:

- Parking
- Construction Management
- Height, massing and visual impact

A full sign-in sheet and meeting minutes are included as attachment O.

Nine items of written public comment have been received in advance of this workshop. Written public comment has focused on building height and visual impact, building use, traffic and parking

I. NEXT STEPS

Staff will continue to review resubmitted plans and documents to ensure the proposed project complies with all applicable standards, and specifically:

1. Address any outstanding Staff comments
2. Address additional comments from the Planning Board.
3. Prepare final plan submission.
4. Schedule and hold planning board public hearing

ATTACHMENTS

Public Comment

PC 1-9

Report Attachments

S1. Site Plan Worksheet
S2. Design Review Memo
S3. Staff TDM Comments

Applicants Submittal

A. Project Summary
B. Permitting and Zoning Analysis
C. Site Plan Standards
D. Agent Authorization Letter
E. Financial Capacity
F. Property Deeds
G. Site Plan Data Sheet
H. TDM Plan
I. LID Scoring Tool
J. Stormwater Management Report
K. Fire & Life Safety Strategy Narrative
L. HVAC Design Narrative
M. Party Authority Letter
N. Shadow Study
O. Neighborhood Meeting Materials

Plans

1. Cover Sheet
2. Building Program
3. Floor Area Calculations
4. Site & Context Information
5. Rendered Perspective Views
6. Overall Elevations
7. Overall Building Sections
8. Building Floorplans
9. Boundary Survey
10. Existing Conditions
11. Erosion Control Plan
12. Site Plan
13. Utility Plan
14. Grading & Drainage Plan
15. Landscape Site Plan
16. Landscape Planting Plan
17. Civil Details
18. Landscape Details
19. Vehicle Turning Templates
20. Setting Out Plan

General Comments

Technical Manual Section 14.2

Boundary Survey	14.2.1.29 *Property Corners: Location and descriptions of all property corners set or found, proposed to be set, and all granite survey monuments set. Where no property markers exist, the City of Portland requires that the property markers be installed and that a licensed surveyor set and confirm proposed building locations on site prior to the issuance of a building permit;*	• No proposed property markers shown to be set.	More Information Required
	14.2.1.36 *Street Status. The Status of the street shall be shown; IE Accepted City Street, Continued Paper Street, Discontinued City Street, Vacated Paper Street, or new Proposed Street as per the project submission*	• The street status is not listed for the abutting streets, alleys, courts, and ways	

Site Plan Review Standards (Sec. 13.6)

Transportation Standards (Sec. 13.6.1)

Standard	***Standard***	***How the standard is being met***	***Finding***
Impact on Surrounding Street Systems	13.6.1.A.1 The provisions for vehicular loading and unloading, parking, and vehicular and pedestrian circulation on the site and onto adjacent public streets and ways and the incremental volume of vehicular, bicycle, pedestrian, and transit traffic will not: 1. Create or aggravate any significant hazard to safety on the surrounding street network.	Vehicular access to the site will be provided via a 24-foot drive aisle connecting to Union Street at the same location as an existing curb cut. The drive aisle would be paved with granite pavers and terminate at a motor court with a one-way loop to allow for drop-off and valet operations. No alterations to on-street parking are proposed What still needs to be addressed: Staff are not requesting any additional information related to this standard	Met
	13.6.1.A.2 The provisions for vehicular loading and unloading, parking, and vehicular and pedestrian circulation on the site and onto adjacent public streets and ways and the incremental volume of vehicular, bicycle, pedestrian, and transit traffic will not: 2. Substantially increase congestion on any street without mitigation proportionate to the level of impact.	A traffic Movement Permit (TMP) will be required for this project. The applicant is preparing a scoping document and traffic impact study. What still needs to be addressed: • The applicant shall provide turning templates for an articulated truck with a 30' trailer. • Vehicle turning templates shall be provided for valet vehicles entering the Fore Street garage. • The applicant shall provide a hotel valet operations plan. This plan should anticipate vehicle queuing and movement within the site and on surrounding streets.	More Information Needed

Access and Circulation	13.6.1.B.1.a ***In General*** All development subject to this article shall provide safe and reasonable access and internal circulation for all users of the site and shall comply with the transportation systems and street design standards of the Technical Manual.	Pedestrian access to the site is provided via a new ADA-compliant walkway from Union Street. ADA compliant ramps will provide pedestrian access to the site from Fore Street/Patton Court. An existing sidewalk to Exchange Street will be widened to provide pedestrian-only access to the site from Exchange Street. Within the site, a pedestrian courtyard will wrap around the ground level of the building. This courtyard will feature landscaping and publicly accessible seating. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard.	Met
	13.6.1.B.1.b ***In General*** Shared circulation, parking, and transportation infrastructure shall be provided to the extent practicable, with utilization of joint curb cuts, walkways, service alleys, bus pull-out areas, and related infrastructure shared with abutting lots and roadways. Easements for access for abutting properties and shared internal access points at property lines shall be provided where possible to facilitate present or future sharing of access and infrastructure.	The drive aisle will be connected to Union Street via an existing curb cut. Pedestrian infrastructure will be shared with surrounding properties. **What still needs to be addressed:** • The applicant shall provide access easements to enable abutting properties to access shared open space and sidewalks.	More Information Needed
	13.6.1.B.1.c ***In General*** Continuous internal walkways shall be provided between existing or planned public sidewalks adjacent to the site, transit stops and street crossings, and building entrances on the site.	Continuous internal circulation is provided with connections to existing public sidewalks on Exchange, Fore and Union Streets. Additional pedestrian connectivity to Middle Street is provided with a stairway leading to the Canal Plaza courtyard. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.1.B.1.d ***In General*** Where the site abuts or includes an existing or planned publicly accessible trail, a connection to or integration of such trail shall be provided to the extent practicable, including rights of public access.	Not applicable. This application does not have access to a trail. **What still needs to be addressed:**	N/A
	13.6.1.B.1.e ***In General*** Points of access and egress shall be located to avoid conflicts with turning movements and traffic flows.	The applicant has provided vehicle turning templates defining paths of travel for various vehicle types. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.1.B.2.a ***Curb and sidewalks*** All development shall provide curb and sidewalks along all frontages, installed to specifications as described in the	New curbed sidewalk will be installed on the northern side of the drive aisle connecting Union Street to the pedestrian plaza.	Met

	transportation systems and street design standards of the Technical Manual.	What still needs to be addressed: Staff are not requesting any additional information related to this standard	
	13.6.1.B.2.b *Curb and sidewalks* Where sidewalks already exist but are in substandard condition, they shall be repaired or replaced in conformance with Chapter 25 of the City of Portland Code of Ordinances and the transportation systems and street design standards of the Technical Manual.	The applicant proposes to reconstruct a portion of sidewalk on Exchange Street. All other sidewalks will be privately owned and will be built to City Standards by using the same bricks are are used throughout the Old Port. What still needs to be addressed: Staff are not requesting any additional information related to this standard	Met
	13.6.1.B.2.c *Curb and sidewalks* An applicant may request a waiver from sidewalk installation requirements if they meet two or more applicable waiver criteria as listed below: i. There is no reasonable expectation for pedestrian usage coming from, going to, and traversing the site. ii. There is no sidewalk in existence or expected within 1000 feet and the construction of sidewalks does not contribute to the development of pedestrian-oriented infrastructure. iii. A safe alternative walking route is reasonably available, for example, by way of a sidewalk on the other side of the street that is lightly traveled. iv. The reconstruction of the street is specifically identified and approved in the first or second year of the current Capital Improvement Program (CIP) or has been funded through an earlier CIP or through other sources. v. The street has been constructed or reconstructed without sidewalks within the last 24 months. vi. Strict adherence to the sidewalk requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value.	Not applicable. The applicant is not requesting a waiver from sidewalk installation requirements. What still needs to be addressed:	N.A
	13.6.1.B.2.d *Curb and sidewalks* An applicant may request a waiver from curb installation requirements if	Not applicable. The applicant is not requesting a waiver from sidewalk installation requirements	n/A

	they meet two or more applicable waiver criteria as listed below: i. The cost to construct the curbing, including any applicable street opening fees, is in excess of 5% of the overall project cost. ii. The reconstruction of the street is specifically identified and approved in the first or second year of the current CIP or has been funded through an earlier CIP or through other sources. iii. The street has been rehabilitated without curbing in the last 60 months and the proposed use and design of the site does not necessitate the installation of curbing. iv. Strict adherence to the curb requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value. v. Runoff from the development site or within the street does not require curbing for stormwater management.	What still needs to be addressed:	
Public Transit Access	13.6.1.C.1 All residential development consisting of 20 or more dwelling units and all commercial and institutional developments of at least 20,000 square feet gross floor area shall provide a transit shelter adjacent to or within the public right-of-way along its frontage, or at a nearby high-volume transit stop without a transit shelter, when the following criteria are met: A. The development is proposed along an existing public transit route on a principal or minor arterial roadway, as shown in the Federal Street Classification Map. B. The nearest existing transit shelter on the route is more than ¼ mile from the site, measured along rights-of-way.	There are two existing transit shelters within ¼ mile of the site. No transit shelters or transit improvements are proposed. What still needs to be addressed: Staff are not requesting any additional information related to this standard	Met
	13.6.1.C.2 Transit facilities shall be connected to the public sidewalk system.	Not applicable to this application. What still needs to be addressed:	N/A
	13.6.1.C.3 All or some of this standard may be waived if the review authority determines that the development is not anticipated to generate public transit usage due to particular characteristics of the development or proposed use.	Not applicable to this application. What still needs to be addressed:	N/A
Parking	13.6.1.D.1.a ***Vehicular parking*** Developments shall comply with the parking standards of Article 18.	No on-site parking is proposed as part of this application. Parking for residents and hotel valet will be provided in the adjacent Fore Street garage, which is owned by the applicant. The garage has controlled access directly from the proposed drive aisle. What still needs to be addressed:	More Information Needed

		• The applicant shall provide additional information on the current and projected capacity of the Fore Street garage, including the number of spaces to be allocated for residents, hotel guests, and other non-building-related uses.	
	13.6.1.D.1.b ***Vehicular parking*** Where provided, parking spaces and aisles shall not be located in front and corner side yards, unless the applicant can demonstrate that site constraints preclude the location of parking elsewhere on the site.	No on-site parking is proposed as part of this application. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.1.D.1.c ***Vehicular parking*** Where provided, parking spaces and aisles shall meet applicable dimensional standards as detailed in the transportation systems and street design standards of the Technical Manual.	No on-site parking is proposed as part of this application. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.1.D.2.a ***Bicycle parking*** All development shall provide secure bicycle parking in accordance with the parking requirements of Article 18 and the transportation systems and street design standards of the Technical Manual.	Based on the current programming of 73 residential units, 37 bicycle parking spaces are required. An additional 6 bicycle totals approximately 8,200 square feetfor all restaurant and retail spaced. This brings the total anticipated bicycle parking spaces required for the project to 43 spaces. The applicant intends to provide bicycle parking for all 43 required spaces in outdoor spaces on the site and on adjacent commonly owned properties. Final locations of bicycle parking spaces are to be determined based upon further coordination with the City **What still needs to be addressed:** • The applicant shall detail on a site plan the locations and types of bicycle parking to be provided both on-site and within the garage.	Met
	13.6.1.D.2.b ***Bicycle parking*** The review authority may reduce the required number of bicycle parking spaces if it is determined, based on evidence submitted by the applicant, that the proposed development is expected to generate reduced demand for bicycle parking due to particular site characteristics or proposed uses.	Not applicable to this application. The applicant intends to provide all required bicycle parking **What still needs to be addressed:**	N/A
	13.6.1.D.3.a ***Snow storage*** All developments shall include areas for snow storage or provide an acceptable snow removal plan.	Snow removal on-site will be managed using a snow melter. Accumulated snow from driveways, walkways, and other paved surfaces will be collected and transported to a designated snow melting area an adjacent commonly owned. The snow melter will rapidly convert snow to water, which will then be directed to the site drainage system	Met

		in accordance with applicable stormwater management requirements. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	
	13.6.1.D.3.b ***Snow storage*** Snow storage areas may not encroach on adjacent properties, public ways, and pedestrian walkways, and shall not be located where they would adversely impact the functionality of stormwater management systems.	Snow will be collected and directed to the snow-melter system. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.1.D.3.c ***Snow storage*** Landscaping in designated snow storage areas shall be such that it can withstand the snow pile.	The applicant has detailed snow storage and collection locations on the site plan. These areas do not impact landscaping **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	
	13.6.1.D.4 ***Electric vehicle (EV) charging*** All development shall meet applicable EV standards as provided in Section 1 of the Technical Manual.	N/A **What still needs to be addressed:**	N/A
Transportation Demand Management	13.6.1.E.1 The following types of development shall design and implement a Transportation Demand Management (TDM) plan: A. All commercial, institutional, or mixed-use developments of 50,000 square feet or more in total floor area. B. All commercial or institutional uses designed to accommodate 100 or more employees or, for educational institutions, 100 or more students.	The applicant has provided a draft Transportation Demand Management (TDM) Plan. **What still needs to be addressed:** See TDM comments below	More Information Required
	13.6.1.E.2 The TDM Plan shall comply with the standards for transportation studies and plans as contained in the Technical Manual.	The draft TDM plan includes trip generation estimates for residential, hotel and restaurant uses. The TDM plan also outlines strategies for reducing trip demand. A TDM coordinator will oversee implementation of identified TDM strategies. **What still needs to be addressed:** • Peer Reviewers have reviewed the TDM Plan and offer the following comments as it relates to the trip generation estimate, which is included: • LUC 222 Multi-Family Housing (High-Rise). The sample size for this land use code is small and further review is needed to determine appropriateness. • LUC 931 Fine Dining. Reviewers find the use of this land use code to be acceptable. • LUC 930 Fast Casual Restaurant. The applicant should provide additional	More Information Required

		information in the support of using this land use code. • With that said the Saturday ITE data is limited. Reviewers find the use of PM ITE data to be acceptable	
Environmental Quality Standards (Sec. 13.6.2)			
Standard	*Standard*	*How the standard is being met*	*Finding*
Preservation of Significant Natural Features	13.6.2.A.1 All development shall preserve and protect significant natural features by incorporating the principles of Low-Impact Development (LID) in accordance with the LID standards of the Technical Manual.	The applicant has provided a LID scorecard, receiving a score of 81 out of a possible 178 points. **What still needs to be addressed:** • Add a note to the landscaping planting plan that native vegetation must be used for all plantings and that only local sourced landscape materials are to be used. • Please provide a written narrative to justify selections in the following point categories: Providing transportation alternatives and Innovative LID site design and/or stormwater management. Note: The points in this category are intended for cutting-edge treatment systems that may not have DEP approval but which show promise in research and development from trusted and unbiased research partners such as the UNH Stormwater Center. Based on the preliminary review we don't find that the subsurface sand-filter/R-tank detention systems meet the intent of this bonus point category	More information Required
	13.6.2.A.2 Where complete preservation of significant natural features substantially compromises development of the site as otherwise permitted by zoning, the review authority may reduce the requirement in accordance with the LID standards of the Technical Manual provided that the applicant implements preservation measures to the extent practicable and demonstrates compliance with applicable state and federal regulations.	Not applicable to this application. **What still needs to be addressed:**	N/A
	13.6.2.A.3 The site plan shall include adequate measures to protect significant natural features to be preserved from construction impacts, in accordance with the LID standards of the Technical Manual.	There are no significant natural features on this site. The current site is 100% impervious. **What still needs to be addressed:**	Met
Site Plan	13.6.2.B.1.a ***On-site landscaping*** All development subject to this article shall provide a minimum of one	20 new shade tree plantings are proposed within the pedestrian courtyard and lining the	Met

	shade tree consisting of species identified on the City of Portland Recommended Tree list or six plantings, defined as one shrub, one ornamental grass, and/or three perennials, per 5,000 square feet of lot area in accordance with the landscaping standards of the Technical Manual.	walkway to Union Street. This exceeds planting requirements for the 26,000 SF lot. Proposed plantings meet technical manual standards **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	
	13.6.2.B.1.b *On-site landscaping* Existing vegetation to be preserved on the site may be counted towards this requirement as described in the landscaping and landscape preservation standards of the Technical Manual.	No existing on-site vegetation is proposed to remain. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.2.B.1.c *On-site landscaping* Where site constraints prevent the planting of required shade trees or plantings at the development site, the reviewing authority may approve an alternative as described in the landscaping standards of the Technical Manual.	Not applicable to this application. **What still needs to be addressed:**	N/A
	13.6.2.B.2.a *Buffers and screening* Loading and servicing areas, trash and recycling areas, storage areas, and roof- and ground-mounted utility structures, except for renewable energy systems, shall be screened from view from public sidewalks, streets and adjacent properties by dense evergreen and deciduous landscaping, fencing, architectural screening products, masonry walls, building walls, or a combination thereof.	Loading and servicing will take place within a designated portion of the motor court. This area will not be immediately visible from public rights of way. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.2.B.2.b *Buffers and screening* Where immediately visible from the right-of-way, surface parking areas shall be screened with dense evergreen and deciduous landscaping, fencing, or masonry wall in accordance with the landscaping standards of the Technical Manual.	Not applicable to this application. No on-site parking areas are proposed. **What still needs to be addressed:**	N/A
	13.6.2.B.2.c *Buffers and screening* For nonresidential development abutting a residential zone, an evergreen, densely landscaped buffer of not less than 10 feet in depth and six feet tall is required along the side abutting the residential zone. In cases where architectural fencing is used, the depth of the landscaped buffer may be reduced, so long as the fencing is at least six feet in height and a mix of evergreen and deciduous trees spaced no further than 20 feet apart is planted abutting the residential zone.	Not applicable to this application. **What still needs to be addressed:**	N/A
		Not applicable to this application	N/A

	13.6.2.B.2.d ***Buffers and screening*** All residential development shall provide and/or preserve evergreen vegetated buffers where necessary to buffer the development from detrimental impacts of existing surrounding development.	What still needs to be addressed:	
	13.6.2.B.3.a ***Parking and vehicle display lot landscaping*** Developments with more than five parking spaces shall include at least one tree for every 750 square feet of uncovered asphalt parking area (including drive aisles), planted in landscaped islands to screen, shade, and break up parking. Trees and shrubs in parking lots may be in informal groups, straight rows, or concentrated in clusters as described in the landscaping standards of the Technical Manual.	Not applicable to this application. No on-site surface parking is proposed. What still needs to be addressed:	N/A
	13.6.2.B.3.b ***Parking and vehicle display lot landscaping*** Landscaped islands shall be distributed so that uninterrupted pavement does not exceed forty parking spaces.	Not applicable to this application. No on-site parking is proposed What still needs to be addressed:	Met
	13.6.2.B.3.c ***Parking and vehicle display lot landscaping*** Where site constraints prevent implementation of all or a portion of required parking lot landscaping, as determined by the review authority, the reviewing authority may approve an alternative as described in the landscaping standards of the Technical Manual.	Not applicable to this application What still needs to be addressed:	N/A
	13.6.2.B.4 ***Non-vehicular hardscape*** All uncovered paving for non-vehicular use, including pathways and patios, must either have a minimum Solar Reflective Index (SRI) of 33 initially and 28 once aged three years or include one tree for every 750 square feet of asphalt paving.	All pedestrian areas are proposed to be paved with brick to extend the sidewalk material of the Old Port into the site. The drive aisle will be paved with granite pavers. What still needs to be addressed: • The applicant shall provide details regarding the solar reflectivity of proposed hardscaped surfaces.	More information needed
	13.6.2.B.5.a ***Street trees*** All development shall include one street tree per 25-35 linear feet of frontage along a city right-of-way or private roadway as specified in the landscaping standards of the Technical Manual. The provision of measures to enhance tree survival (such as raised planters, irrigation, and structural soils as recommended by the City Arborist) shall be required.	The Union and Exchange Street frontages would each feature one street tree. What still needs to be addressed: • Staff recommends removing the proposed street tree within the Exchange Street walkway. • Staff encourage the applicant to either identify another on-site location or coordinate with City staff to explore potential off-site planting opportunities along Exchange or Union Streets.	More Information Needed
		Not applicable to this application	More

	13.6.2.B.5.b ***Street trees*** Where the applicant can demonstrate that site constraints prevent the planting of required street trees in the city right-of-way, the review authority may permit an alternative subject to the landscaping standards of the Technical Manual.	**What still needs to be addressed:** See above comment exploring off-site planting opportunities along Exchange or Union Streets.	
	13.6.2.B.5.c ***Street trees*** Where the proposed development includes the removal of an existing street tree determined by the City Arborist to be a heritage or feature mature tree, the applicant shall be required to contribute to the Tree Fund at the designated rate in the Technical Manual so that the total replacement cost is significantly higher than planting a new street tree/contributing for a new street tree.	Not applicable to this application. No existing street trees are proposed to be removed. **What still needs to be addressed:**	N/A
Water Quality, Stormwater Management and Erosion Control	13.6.2.C.1.a All development shall be designed to minimize total area of impervious surface on the site and both the volume and rate of runoff from the lot. Provisions for stormwater management shall demonstrate the following: a) Any stormwater draining onto or across the lot in its pre-improvement state will not be impeded or redirected so as to create ponding on, or flooding of, adjacent lots.	The existing site is 100% impervious. The proposed development maintains the site's character as an urban infill lot. The applicant has provided a stormwater management plan detailing drainage patterns and impacts to existing sewer and stormdrain infrastructure within Fore, Union and Exchange Streets. **What still needs to be addressed:** Stormwater review by a third-party is in progress.	More information Required
	13.6.2.C.1.b All development shall be designed to minimize total area of impervious surface on the site and both the volume and rate of runoff from the lot. Provisions for stormwater management shall demonstrate the following: b) Any increase in volume or rate of stormwater draining from the lot onto an adjacent lot or City property following the improvement can be handled on the adjacent lot or City property without creating ponding, flooding or other drainage problems and that the owner of the lot being improved has the legal right to increase the flow of stormwater onto the adjacent lot or City property.	The existing site is 100% impervious. The proposed development maintains the site's character as an urban infill lot. The project is required to manage stormwater on the site in accordance with the applicable Maine Department of Environmental Protection (DEP) and City of Portland regulations. The project will disturb less than one acre and therefore will not require a DEP stormwater permit. The applicant has provided a stormwater management plan detailing drainage patterns and impacts to existing sewer and stormdrain infrastructure within Fore, Union and Exchange Streets. **What still needs to be addressed:** Stormwater review by a third-party is in progress.	More Information Required

	13.6.2.C.1.c All development shall be designed to minimize total area of impervious surface on the site and both the volume and rate of runoff from the lot. Provisions for stormwater management shall demonstrate the following: c) Any increase in volume or rate of stormwater draining from the lot into the City's storm sewer system can be accommodated in the system without creating downstream problems or exceeding the capacity of the storm sewer system.	Stormwater review by a third party is ongoing **What still needs to be addressed:**	More Information Required
	13.6.2.C.2 All development shall comply with the stormwater management standards of the Technical Manual.	The proposed project is required to comply with Section 5.2.4 of the City of Portland's Technical Manual. **What still needs to be addressed:** • DPW requests that both the sewer and storm drain connections for the project be brought out to Union Street, rather than tying into the internal sewer line that runs through the adjacent parking garage and ultimately connects to the Fore Street sewer. This request is being made due to the condition of the Fore Street sewer. This request should be shown on an updated utility plan.	More information Required
	13.6.2.C.3 Development shall not pose a risk of groundwater contamination either during or post-construction, as described in the stormwater management and water supply standards of the Technical Manual.	Stormwater review by a third party is ongoing **What still needs to be addressed:** Stormwater review by a third party is ongoing	More Information Required
	13.6.2.C.4 Applicants shall demonstrate that subsurface and/or any adjacent slope conditions are suitable to support the development, and where determined necessary, shall prepare a geotechnical study to demonstrate that the development as designed will not adversely impact the development site or any abutting property. Soil surveys and/or geotechnical studies shall be prepared in accordance with the requirements of the Technical Manual.	The site has a slope with an average gradient of less than 1%. Planning Staff have not requested a geotechnical study as of 9/8/2025. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
Public Infrastructure and Community Safety Standards (Sec. 13.6.3)			
Standard	*Standard*	*How the standard is being met*	*Finding*
Consistency with City Master Plans	13.6.3.A.1 All developments shall be designed so as to be consistent with City Council-approved master plans and facilities plans and with off-premises infrastructure.	The development is an allowed use within the B-3 zone. **What still needs to be addressed:**	Met

		Staff are not requesting any additional information related to this standard	
	13.6.3.A.2 The site plan shall include suitable easements, rights, and improvements to connect or continue off-premises public infrastructure as may be required by the review authority.	Reciprocal drainage easements have been identified in the provided boundary survey **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
Public Safety and Fire Prevention	13.6.3.B.1.a All development shall incorporate the following public safety principles for Crime Prevention through Environmental Design (CPTED) into site design to enhance the security of public and private spaces and to reduce the potential for crime: a) Natural surveillance that promotes visibility of public spaces and areas.	The shared open space will be surrounded by active uses which will promote public safety through site activation. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.3.B.1.b All development shall incorporate the following public safety principles for Crime Prevention through Environmental Design (CPTED) into site design to enhance the security of public and private spaces and to reduce the potential for crime: b) Access control that promotes authorized and/or appropriate access to the site.	A large portion of the site will be open to the public. Site access will be controlled via narrow points of access from public rights of way. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.3.B.1.c All development shall incorporate the following public safety principles for Crime Prevention through Environmental Design (CPTED) into site design to enhance the security of public and private spaces and to reduce the potential for crime: c) Territorial reinforcement that promotes a sense of ownership and responsibility through environmental design.	The shared open space will be surrounded by active uses which will promote public safety through site activation. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.3.B.2 All developments shall be designed to provide adequate emergency vehicle access to the site and comply with the Public Safety standards of the Technical Manual.	Emergency vehicles would access the site via the existing curb cut on Union Street. The existing alleyway between the CMP substation and the Fore Street garage will be utilized for fire truck turning movements. The applicant has provided a fire & life safety narrative. **What still needs to be addressed:** • The applicant shall provide an updated fire truck turning template detailing emergency vehicle movements with the assumption that a delivery vehicle is parked in the designated loading area	More information required
Public Utilities	13.6.3.C.1 The development shall not overburden sanitary sewers and storm drains, water lines or supply, or other public infrastructure and utilities.	The proposed project is required to comply with Section 5.2.4 of the City of Portland's Technical Manual.	More information

	Development shall provide adequate utility infrastructure on-site and in connection to surrounding locations and facilities.	What still needs to be addressed: • The applicant shall provide a wastewater capacity application for review and approval by DPW • The applicant shall provide an ability to serve letter from Central Maine Power	
	13.6.3.C.2 Electrical service shall be underground unless otherwise specified for industrial uses, or if it is determined to be unfeasible due to extreme cost, the need to retrofit properties not owned by the applicant, or complexity of revising existing overhead facilities.	Electrical utilities will be extended from Union and Exchange Street via underground conduits. What still needs to be addressed:	Met
	13.6.3.C.3 All sanitary sewer lines, storm drains, water lines, and other utilities proposed as part of the development shall be designed to conform with the sanitary sewer and storm drain and water supply standards of the Technical Manual.	Stormwater from the plaza around the building will be managed via a trench train and catch basin inlets that discharge to the on-site subsurface stormwater treatment system and ultimately to the same 15-inch cement combined sewer main as in the existing condition. What still needs to be addressed: • The Department of Public Works requests that the applicant consider diverting the off-site drainage system through the on-site R-tank/storage system. As currently designed, the off-site drainage would connect to the proposed site's drainage system downstream of the treatment and storage facility. • It appears that the storm drain pipe from the existing catch basin (1174) running towards DMH-2 could be run straight without the proposed bend and cleanout. DPW would suggest removing the bend from the line and running it straight between the two structures. • The applicant is proposing to reroute private sewer and drainage lines serving separate parcels located north of the site around the proposed building. Based on the boundary survey, it appears that reciprocal easements have been established for this private sewer infrastructure running across the site. These easements may need to	More Information Required

		be adjusted to reflect the proposed site plan and the relocation of the private sewer and drainage lines. The applicant should provide additional information on this matter.	
	13.6.3.C.4 All development within 200 feet of a public sanitary collection and treatment system shall connect sanitary sewer lines into the nearest available public sewer. If a public sanitary collection and treatment system is not available, a private wastewater system may be used according to the requirements of Chapter 24 of the City Code and the sanitary sewer and storm drain standards of the Technical Manual.	The development proposes to connect to the existing sanitary sewer in Fore Street. **What still needs to be addressed:** • DPW requests that both the sewer and storm drain connections for the project be brought out to Union Street, rather than tying into the internal sewer line that runs through the adjacent parking garage and ultimately connects to the Fore Street sewer. See attached schematic	More Information Required
	13.6.3.C.5 All residential development of 20 units or more, commercial development, and industrial development shall provide for the temporary storage and timely removal of all trash and recyclable materials including, at a minimum, paper, corrugated cardboard, plastics, and metals. Storage containers for recyclable materials shall be separated from trash containers. All exterior storage of trash and recyclables shall be screened from view from public sidewalks, streets, and adjacent properties.	The site would utilize a private hauler for solid waste removal **What still needs to be addressed:** • The applicant shall detail the frequency of solid waste pickup.	More information required
Site Design Standards (Sec. 13.6.4)			
Standard	*Standard*	*How the standard is being met*	*Finding*
Massing, Ventilation and Wind Impact	13.6.4.A.1 The bulk, location, or height of proposed buildings and structures shall not result in health or safety problems from a reduction in ventilation to abutting structures or changes to the existing wind climate that would result in unsafe wind conditions for users of the site and/or adjacent public spaces.	The applicant has indicated that a wind study is being developed and will be submitted in advance of a future meeting. **What still needs to be addressed:** • Staff are awiting the submission of the wind impact study.	More Information required
	13.6.4.A.2 Development shall locate all HVAC venting mechanisms to direct exhaust away from public spaces and residential properties directly adjacent to the site.	HVAC equipment will be located on the roof of the building within a screened mechanical penthouse. **What still needs to be addressed:**	Met
	13.6.4.A.3 In proposed buildings or additions with an aggregate roof area greater than 2,000 square feet, measured horizontally, and, for residential projects, greater than nine residential units, a minimum of 75% of the roof area must meet the following "cool roof" Solar Reflective Index (SRI) standards:	The proposed building will be required to meet rooftop SRI standards. **What still needs to be addressed:** • The applicant shall provide details sheets demonstrating that roofing materials meet SRI standards.	More Information Required

	a) Roofs with a slope less than 2:12: SRI of 82+ (initial)/64+ (3-year aged) b) Roofs with a slope greater than 2:12: SRI of 25+ (initial)/25+ (3-year aged) Roof areas covered by shade structures with an SRI of 39+, including photovoltaic panels that shade the roof, are considered exempt from roof area calculations for the purposes of this standard.		
Shadow	13.6.4.B All development over 65 feet in height shall be designed to avoid and/or mitigate the adverse impacts of shadows cast by new structures or building additions from falling on publicly accessible open space in accordance with the shadow standards of the Technical Manual.	The applicant is preparing a shadow study for review detailing the impacts the proposed building may have on public open space, with particular emphasis placed on Post Office Park and Lobsterman's Plaza. **What still needs to be addressed:** • A full shadow analysis shall be provided. Staff is awaiting submission	More information Required
Snow and Ice Loading	13.6.4.C All development shall be designed to prevent significant amounts of accumulated snow and ice from loading or falling onto adjacent properties or public ways.	Snow and ice will be collected and moved within the site to designated snow melting areas. **What still needs to be addressed:**	Met
View Corridors	13.6.4.D The massing, location, and height of development shall not substantially obstruct public view corridors identified in the City of Portland Design Manual.	This application is not within a protected view corridor **What still needs to be addressed:**	N/A
Historic Resources	13.6.4.E.1 When a development affects a designated landmark or lies within a designated historic district or historic landscape district, such development shall be required to obtain historic preservation approval under Article 16.	The proposed building is not within a historic district.t A small portion of the pedestrian plaza is located within the Old Port Historic District. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.4.E.2.a All development shall document and protect state or local archaeological resources known to exist or discovered on the site. a) Protection may include leaving archaeological resources untouched beneath a new development through adaptation of foundation design or architectural layout.	The applicant will be responsible for documenting and preserving any archaeological materials discovered during the course of construction. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
	13.6.4.E.2.b All development shall document and protect state or local archaeological resources known to exist or discovered on the site.	The applicant will be responsible for documenting and preserving any archaeological materials discovered during the course of construction.	Met

	b) Where the applicant can demonstrate that complete protection is not feasible, the applicant shall excavate and document archeological resources. Such measures shall be conducted in consultation with the City's historic preservation program and Maine Historic Preservation Commission. For resources of state significance, excavation and documentation shall be conducted by a qualified professional, in coordination with Maine Historic Preservation Commission. Local archeological resources may or may not be recognized by the Maine Historic Preservation Commission as significant and shall include the following: i. Original seawall structure located landward of Commercial Street. ii. Inactive historic family cemetery plots. iii. Historic railroad beds including but not limited to the Portland-Lewiston interurban railroad. iv. Original structure and/or landforms associated with the Cumberland and Oxford Canal. v. Buried portions of colonial and post-colonial period structures or built features located on the Portland Peninsula predating the Great Fire of 1866. vi. Pre-colonial occupation sites identified by shell middens or other evidence. vii. Sites listed or eligible for listing on the National Register of Historic Places.	**What still needs to be addressed:** Staff are not requesting any additional information related to this standard	
	13.6.4.E.2.c All development shall document and protect state or local archaeological resources known to exist or discovered on the site. c) In order to preserve archeological resources, the review authority may waive standards listed in the City of Portland Technical Manual where necessary if it is determined that such a waiver would not jeopardize the health, safety, or welfare of the development's occupants, the public, or the natural environment.	The applicant will be responsible for documenting and preserving any archaeological materials discovered during the course of construction. **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
Exterior Lighting	13.6.4.F.1.a ***Site lighting*** All exterior site lighting shall be full cutoff with no light emitted above the horizontal plane or spilled onto adjacent properties. Illumination levels shall be adequate but not excessive	A photometric plan and site lighting details have not been provided at this time. **What still needs to be addressed:**	More Information Required

	for the safety, comfort, and convenience of occupants and users of the site, and shall conform to the lighting standards of the Technical Manual.	• The applicant shall provide a photometric plan detailing the variety and location of site lighting fixtures. Site lighting shall be designed in accordance with standards outlined in the Technical Manual.	
	13.6.4.F.1.a ***Site lighting*** Where light from a proposed development may adversely impact adjacent residential properties, exterior lighting shall employ building-side shielding.	A photometric plan and site lighting details have not been provided at this time. **What still needs to be addressed:**	More Information Required
	13.6.4.F.2.a ***Architectural and specialty lighting*** Architectural and specialty lighting of such features as architectural details, monuments, public art, or other site features shall be designed to illuminate specific details or attributes only and shall meet the lighting standards of the Technical Manual.	A photometric plan and site lighting details have not been provided at this time. **What still needs to be addressed:**	More Information Required
	13.6.4.F.2.b ***Architectural and specialty lighting*** Up-lighting by any method is prohibited except for public buildings and parklands; clock towers and steeples; landscape features; designated historic landmarks; flags of state, federal, or national jurisdictions; and public art. Such light fixtures, brackets, conduits, and all other components shall be designed by a lighting professional and shall be scaled and placed to minimize their visibility and installed in accordance with the lighting standards of the Technical Manual.	A photometric plan and site lighting details have not been provided a this time. **What still needs to be addressed:**	More Information Required
	13.6.4.F.3 ***Street lighting*** All development shall provide municipal street lighting adequate for the safety and comfort of pedestrians, bicyclists, and motorists and, where applicable, conforming to specific lighting district requirements as specified in the street lighting standards of the Technical Manual.	A photometric plan and site lighting details have not been provided at this time. **What still needs to be addressed:**	More Information Required
Noise and Vibration	13.6.4.G All heating, ventilation and air conditioning equipment (HVAC), air handling units (AHU), emergency generators, and similar equipment shall meet applicable state and federal emissions requirements and shall be located to the interior of the site, away from abutting properties.	All HVAC and related equipment will be mounted on the roof the building and will be screened **What still needs to be addressed:** Staff are not requesting any additional information related to this standard	Met
Signage and Wayfinding	13.6.4.H.1 On-site directional traffic signage may be provided to enable users to safely and easily navigate into, around and out of the site.	No wayfinding signage is proposed as part of this application **What still needs to be addressed:**	N/A
	13.6.4.H.2 Signage shall not adversely affect visibility at intersections on or off the site.	No wayfinding signate is proposed as part of this application **What still needs to be addressed:**	N/A
Design Standards	13.6.4.I.1 Development of certain types and/or proposed in certain zones, as specified in the City of Portland Design Manual, shall meet the design	The proposed mixed-use development at 45 Union is reviewed in accordance with the B-3 design standards outlined in the City of	More information

	standards of the Design Manual in order to ensure that building and site design contribute to and enhance the goals and policies for specific zones within the city. The City of Portland Design Manual is incorporated by reference as part of this Land Use Code.	Portland Design Manual, Land Use Code Section 13.6.4.I Design standards. What still needs to be addressed: See attached design memo.	
	13.6.4.I.2 If the development is located in a historic district or associated with a historic landmark, the standards of Article 16 shall supersede.	What still needs to be addressed:	N/A

Design Review
Planning and Urban Development Department

City of portland

Subject:	45 Union Street – Major Site Plan Review
Zone:	B3
Date of Review:	August 29, 2025
Reviewer(s):	Sean King (Urban Designer), Eric Freeman (Planner), Neha Sunil Pol (Planner), Andrew Graminski (Planning & Development Review Manager), Evan Schueckler (Historic Preservation Manager), Kevin Kraft (Director)
Project ID:	PL-003157-2024

I. INTRODUCTION

The proposed mixed-use development at 45 Union Street is being reviewed under the B-3 design standards, as outlined in the City of Portland Design Manual and Section 13.6.4.I of the Land Use Code.

II. DESIGN REVIEW COMMENTS: red text denotes standards not met and require resubmission.

§(b)(1)a.1. Relationship of pedestrian environment:

- *§(b)(1).A. Relationship to the pedestrian environment: The exterior design of portions of buildings within the first thirty-five (35) feet of height shall enhance the character, attractiveness, comfort, security, and usability of the street level pedestrian environment.*

  Factors to be considered include the design, placement, character and quality of the following: Storefronts and building facades, Building entrances, Blank facades; and Special features

  Staff comment:
  The proposed site is currently a surface parking lot nestled between Exchange Street, Fore Street, and Old Port Square (formerly Canal Plaza). Exchange Street features historic buildings with active ground floors and storefronts, utilizing materials such as glass, granite, and brick. Fore Street is defined by a contemporary parking garage with ground-floor retail spaces, clad in granite with metal mesh screening, as well as the Hyatt Place Hotel, which incorporates an active restaurant space at the ground level. The hotel utilizes a contemporary design with a primarily glass ground floor, granite base, and supporting pillars. Old Port Square consists of three contemporary towers constructed in the early 1970s by Canal National Bank as part of the Maine-Way urban renewal projects near Monument Square. The complex, originally known as Canal Plaza, was built on the footprints of the former Plum Street and the Falmouth Hotel.



Figure 1: Old Port Square Garage/retail in the foreground; Canal Plaza in the background; and the rear of Exchange Street to the north (left)



Figure 2: Proposed Building - Hotel/Residential Entrance (right) | Cafe space (left)

The exterior design of the building within the first 35 feet enhances the character, attractiveness, comfort, security, and usability of the street-level pedestrian environment. Expansive glass and structural elements are incorporated on all facades, providing visibility into the proposed retail spaces and hotel lobby. A projecting modern canopy at the east elevation clearly defines the primary entrance for residents and hotel patrons. In addition, the applicant proposes a glass and aluminum sliding/folding door system along the ground-level café façade, which Staff believes will encourage greater activity and connectivity between the café and plaza while also improving airflow during favorable weather.

Staff recommends that the applicant consider adding an additional entrance at the northeast corner of the building to create a clear, distinct entry into the proposed café space, particularly for patrons approaching from Old Port Square and Exchange Street. Additionally, staff requests that the applicant label all of the proposed facade materials on the building elevations.

Staff believes the tower cantilever over the ground floor enhances activation at the street level, while the soffit design and material selection help contextualize and integrate the building into the broader eclectic downtown context. However, Staff recommends that the applicant provide an architectural narrative describing the design intent and function of the voided space between the Level 1 roof and Level 2. In addition, Staff suggests the applicant consider extending the

curtain wall system or exploring other design treatments, such as providing access to the Level 1 roof area to assist with additional activation or utilization of the space.

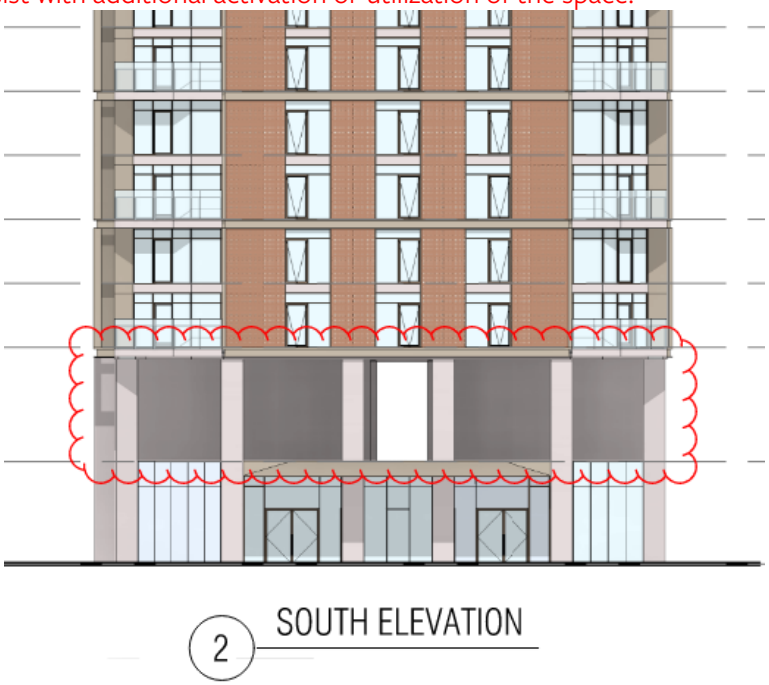

Figure 1: Clouded area denotes Staff comments on sheet A-40.01

- *§(b)(1).B. Pedestrian Activities District (PAD): In addition to subsection 1 (a through d), proposed development and substantial building alterations located within the PAD overlay zone shall be designed and constructed to accommodate pedestrian-oriented uses at the street level.*

  Staff comment: The proposed project includes a new building nestled on a lot situated between Old Port Square, the Old Port Square parking garage, and Exchange Street. It incorporates accessible walkways and plazas that connect to adjacent public rights-of-way. The project is expected to significantly improve connectivity within the Old Port by strengthening links between surrounding streets and Old Port Square, enhancing the neighborhood, and creating more opportunities for pedestrian use and activity.

- *§(b)(1).C. Sidewalk areas and open space: The design of publicly accessible sidewalk areas and open space shall complement the general pattern of the downtown pedestrian environment, conform to special City of Portland streetscape programs described in the Technical Manual, and enhance the attractiveness, comfort, security, and usability of the pedestrian environment.*

  Factors to be considered include the design, placement, character, durability, and quality of the following: Sidewalk, crosswalk, and street paving materials; Landscaping, planters, irrigation, and tree guards and grates; Lighting; Pedestrian amenities such as benches and other seating, trash receptacles, kiosks, bus shelters, artwork, directional and informational signage, fountains, and other special features; and Sidewalk vendors and sidewalk cafes.

  Staff comment: The proposed project significantly enhances neighborhood connectivity by providing access to public sidewalks from Union Street, Exchange Street, and Patton Court.

The continuation of the Old Port brick sidewalk pattern and the City's Old Port-style pedestrian streetlights helps unify the site and signals that these spaces are open to the public. Staff finds that this design enhances the open space, which includes pedestrian amenities such as planters with trees, landscaping, and stone benches. These features integrate the development into the surrounding neighborhood, creating a seamless transition from the historic buildings of the Old Port to the Old Port Square complex, composed of contemporary buildings constructed in the 1970s.

Staff recommends additional pedestrian amenities to enhance activation of the publicly accessible open space. These include: additional outdoor seating (granite benches) at the higher street-level grade adjacent to the rear of buildings at 188 Middle Street; street lighting matching the City's decorative Old Port fixture (Technical Manual, Section 8, Figure X-6B) throughout the open space; consideration of a staircase at the terminus of Patton Court to improve visible permeability into the property; and substituting granite pavers for brick around the building footprint to better delineate pedestrian areas and continuation of the sidewalk and publicly accessible spaces from the shared drive.

Furthermore, Staff recommends realigning the plaza stair to reflect the building's geometry, possibly through a chamfer, to create greater unity with the building design and soften the harder edges. See diagram for Staff's recommendations.

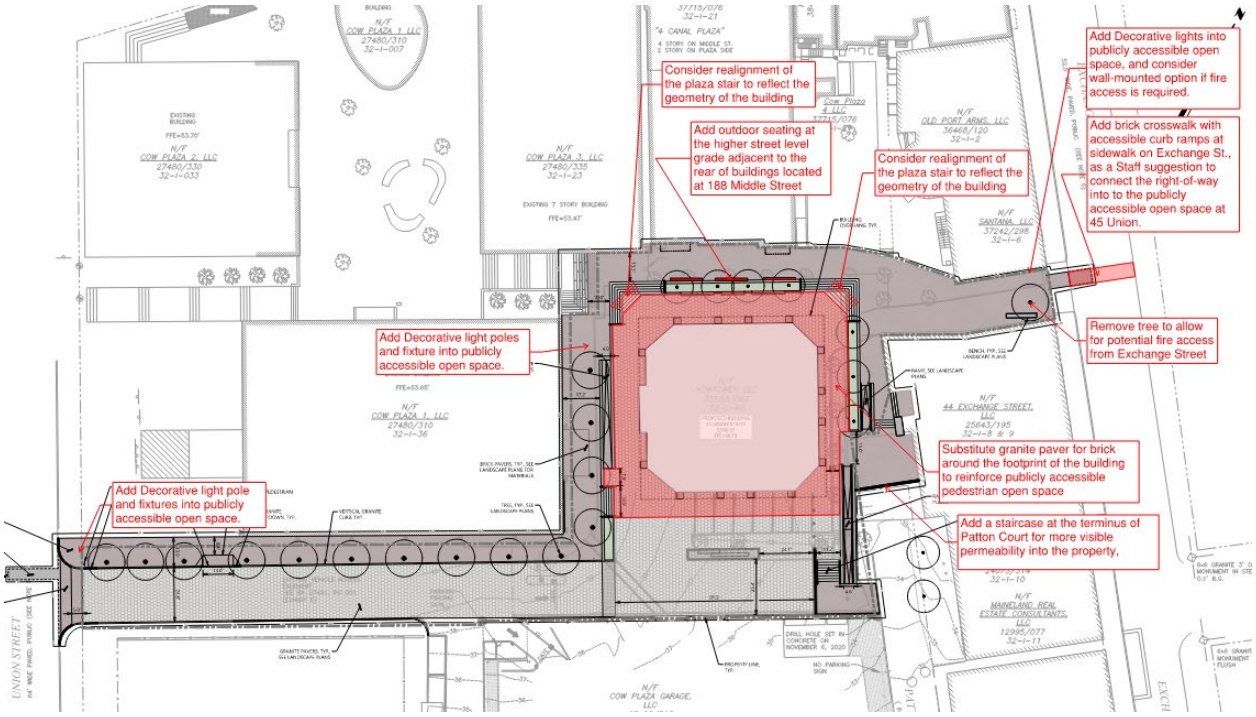

Figure 2: Staff comments on sheet C-100

- *§(b)(1).D. Relationship to existing development: General - Proposed development shall respect, enhance, and be integrated with the existing character of the general pattern of development in the downtown, surrounding building environment and streetscape, as described and illustrated in the Downtown Urban Design Guidelines (Appendix 1).*

Factors to be considered include the relationship to the following existing patterns: Street walls and building setbacks; Open space; Building form, scale and massing; Façade proportion and composition; Pedestrian circulation and building entrances; Parking

Staff comment: The proposed building is situated within a uniquely shaped lot, creating multiple publicly accessible entry points from adjacent streets. Staff finds that the curtain wall system—composed of glass, perforated metal screens, and framed floor divisions—provides a well-defined façade that is appropriate to the downtown context. The building's materials, including glass, granite, and other durable finishes, help the point tower relate to the smaller-scale historic buildings nearby.

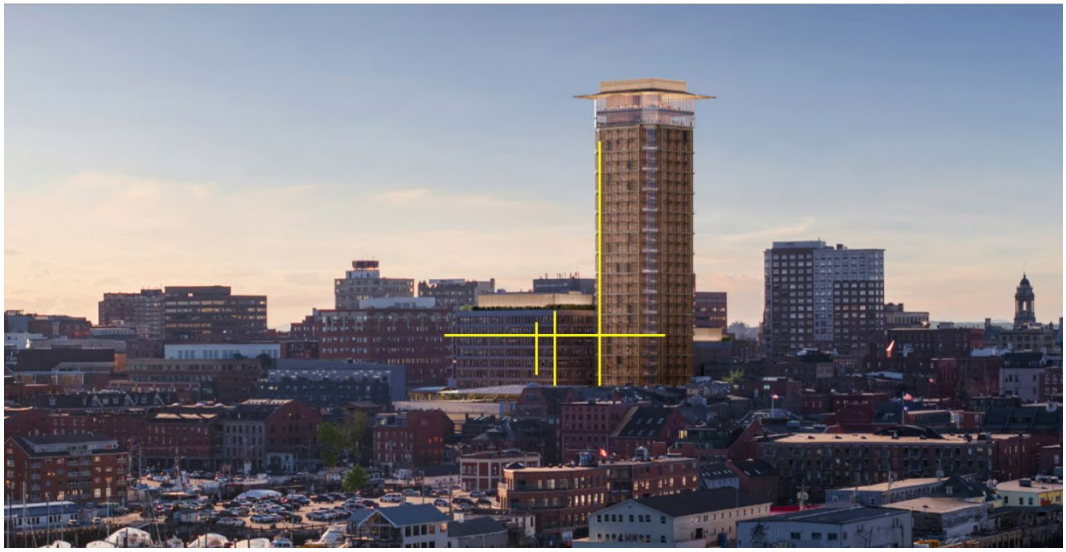

Figure 3: Proposed Building

The design also transitions effectively from the historic context to the more contemporary Old Port Square complex (formerly Canal Plaza), which consists of three large 1970s-era office buildings that use primarily brick, concrete, and glass as prominent materials throughout the complex. The proposed development integrates elements of these neighboring structures through clearly defined floor divisions that align with the adjacent towers and vertical elements that correspond with neighboring façades (See Figure 3 diagram). These features provide visual references to the surrounding context while establishing the building's own identity, allowing the contemporary point tower to fit harmoniously between the historic Old Port buildings on Exchange and Middle Streets and the larger-scale structures of Old Port Square, including the parking garage and Hyatt Place Hotel. In addition, Staff finds that the façade is appropriately proportioned through the expression of the building's base and top with large volumes of glass, supported by perforated metal screens, that provide contextuality that is consistent with the surrounding context in Downtown.

- *§(b)(1).D. Relationship to existing development: Standards for increasing setback beyond street build-to line - A proposed development may exceed maximum setbacks as required in Table 7-C or Table 7-D only where the applicant demonstrates to the Planning Board that the introduction of increased building setbacks at the street level:*

  Provides substantial and viable publicly accessible open space; does not substantially detract from the prevailing street wall character; does not detract from existing publicly accessible open space; the area of setback is of high quality and character of design.

  Staff comment: The proposed development locates the new building within the interior of the uniquely shaped property. Staff finds the proposed plaza space within the increased setback area beyond the street build-to line provides substantial and viable publicly accessible open space from adjacent streets. Staff finds that the proposed open space provides an appropriate mid-block permeability from Exchange Street that does not substantially detract from the prevailing street wall character.

- *§(b)(1).E. Rooftop appurtenances: All mechanical equipment, ventilating and air conditioning and other building systems, elevators, stairways, radio or television masts or equipment, or other rooftop elements not intended for human occupancy shall be fully enclosed in a manner consistent with the character, shape and materials of the principal building.*

  Staff comment: Staff requests that the mechanical area located above the Level Beacon Roof be fully enclosed, and suggests increasing the height of the screening element to align with the tallest rooftop appurtenance.

- *§(b)(1).F. Shadow impact on open space: The location, massing and orientation of portions of buildings in excess of 65 feet in height shall be such that substantial shadow impacts on public plazas, parks, and other publicly accessible open space are avoided.*

  Staff comment: Staff is awaiting the submission of a shadow study to better understand shadow impacts on public plazas, and parks.

- *§(b)(1).G. Wind impacts:* The location, massing, orientation and architectural design of a new building or a building addition shall be such that no significant adverse wind impacts are created.

  Staff comment: Staff is awaiting the submission of a wind study.

- *§(b)(1).H. Setbacks for existing structures: The location and design of proposed structures shall not create a detrimental impact on the structural integrity or the safety of adjacent structures or the occupants thereof.*

  Staff comment: Staff finds that the proposed building includes a separate structural wall system that will not impact the structural integrity of the adjacent buildings on the property.

- *§(b)(1).I. Building tops: Buildings or structures which exceed 150 feet in height shall be designed so as to provide a distinctive top to the building which visually conveys a sense of interest and vertical termination to the building.*

Staff comment: The proposed building exceeds 150 feet in height and is required to have a distinctive top. Staff finds that the steel-supported curtain wall system with fixed vision glazing on all sides, combined with the exposed heavy timber trellis projecting from the interior, creates visual interest and a strong vertical termination consistent with the building's overall design. The glass-clad top floors also serve as a distinct visual beacon while maintaining a cohesive architectural expression.

Preliminary Transportation Demand Management (TDM) Plan

Date: August 15, 2025

To: **East Brown Cow – Kowtower LLC**
100 Commercial St, Suite 300, Portland, ME 04101
(207) 775-2252

From: Jacob W. Sirois, E.I.
Engineer II
Barton & Loguidice, LLC

John Q. Adams, P.E., PTOE
Senior Associate
Barton & Loguidice, LLC

Re: **Multi-Use Building**
45 Union St, Portland, ME

Traffic Demand Management (TDM) 14-14.6.1 (E)

The following types of development shall design and implement a Transportation Demand Management (TDM) plan:

a. All major site plan triggering development in the B-3 zone.

b. All commercial, institutional, or mixed-use developments of 50,000 square feet or more total floor area.

c. All commercial or institutional uses designed to accommodate 100 or more employees or, for educational institutions, 100 or more students.

The TDM Plan shall comply with the transportation systems and street design standards of the Technical Manual.

A Traffic Demand Management Plan is enclosed.

1 Transportation Narrative

East Brown Cow – Kowtower LLC, the applicant, is proposing the development of a 30-story mixed use building on the parcel addressed 45 Union Street in the City of Portland. The multi-use building will provide 88 hotel rooms, 73 residential dwelling units, a 1,495 nsf café on the ground floor, a 5,007 nsf restaurant, and a 3,271 nsf bar and lounge on the top floor. The café, restaurant, and bar will be open to the public. The proposed building has a roughly 5,650 gsf footprint at-grade totaling approximately 200,000sf gross floor area.

The development site is 25,397sf and currently serves as a 32-space surface parking lot. With the project's development, the parking lot will be removed. Of the site's total acreage, all is developable.

Vehicle access to the site will be provided via an existing driveway entrance on Union Street, located approximately 260 feet northwest of Fore Street. Pedestrian access will be provided to the site by a sidewalk along the site driveway from Union Street, a pedestrian path between Exchange Street, Middle Street, and Union Street via the plaza, and a sidewalk connection to Fore Street along Patton Court (A.K.A. Fox Court).

No vehicle parking will be provided on-site. In lieu, a drop-off loop will be provided at the main entrances, and a valet service will be offered for residents, guests, and the public. The valet service will use the adjoining Old Port Square Garage. The garage has 423 spaces. Of these 423 spaces, some of these spaces will be available for the residents and guests. Users of the development can also park in the parking garage without using the valet system.

The project will provide storage for 43 bicycles, external to the building. All 43 spaces will be located outside on the site itself and on adjacent properties owned by a related party for utilization by all

Please provide details on where this will be, distance from site and type of bike parking. There should also be bike parking located for non-residents/customers of the commercial portions of the site outside the building.

2 Area / Neighborhood Existing Conditions

The City of Portland, within the vicinity of the site, is a welcoming community to alternative modes of traffic, especially pedestrian and bicycle traffic, and has made efforts to provide more complete streets with traffic calming elements to assist with slowing motorized modes of transportation. Crosswalks are provided at unsignalized intersections, and pedestrian signals are provided at signalized intersections. This area of Portland is known for its many and various restaurants, shops, and other retail establishments.

3 Site Access

The project site's location on Union Street provides vehicular traffic access to regional routes in and out of the greater Portland area as well as to local destinations within Portland. Access to Interstate 295 is provided by heading southbound on Commercial Street to the Veterans Memorial Bridge or by heading north on Commercial Street to Franklin Street to Exit 7. Access to these destinations is also provided through alternative connecting streets such as Fore Street, Middle Street, Spring Street, and Congress Street.

Access to other local City destinations such as the Eastern Promenade, Old Port, Downtown District, and the City's Transportation Center are also easily accessible from this neighborhood utilizing Commercial Street, Temple Street, Middle Street, Spring Street, and Congress Street.

4 Transit Access/Connections

This area of Portland is well served by public transit. Temple Street, Union Street, and Middle Street, within the vicinity of the site, are currently served by Routes 8, 21, 24A, and 24B. See Transit Route Map below:



Further details of the routes are included below:

Metro Route 8: Peninsula – Route 8 provides transportation throughout the Portland Peninsula, with service to Congress Street, the Old Port, Maine Medical Center and Mercy Hospital (State Street location), Trader Joe's, Whole Foods, Art's District, Back Cove Hannaford, and the Waterfront (Casco Bay Lines and Visitor Information Center at Ocean Gateway), including the following points:

- Casco Bay Ferry Terminal
- Downtown Portland
- Maine College of Art and Design
- Maine Medical Center
- Ocean Gateway Terminal
- Old Port
- West End

For each route, please identify the location of the nearest bus stop, frequency of the service throughout the day and span of service (first and last times of service).

Metro Route 21: SMCC-Downtown Portland – Route 21 provides transportation between downtown Portland, the Millcreek Transit Hub in South Portland, and SMCC, including the following points along the route:

- Downtown Portland
- Maine College of Art and Design
- Southern Maine Community College
- Millcreek Park
- Willard Beach
- Spring Point Light
- Bug Light

Metro Route 24A: South Portland (Broadway – Redbank – Maine Mall) – Route 24A provides bus service between Downtown Portland and the Mill Creek Transit Hub, Broadway, Redbank, the Maine Mall in South Portland, and Walmart in Scarborough, including the following points along the route:

- Cash Corner
- Gannett Drive
- Target
- Downtown Portland
- Maine College of Art and Design
- Maine Mall

Metro Route 24B: South Portland (Highland Ave – Brick Hill – Maine Mall) – Route 24B provides bus service, Monday – Friday only, between Downtown Portland, the Millcreek Transit Hub, Highland Avenue, Brick Hill, and the Maine Mall, and includes the following points of interest:

- Downtown Portland
- Maine College of Art and Design
- Maine Mall

See additional detail of Transit Routes in the Metro graphic below:

Only need to provide one map.



Please be consistent in who will be surveyed. Some sections only list one group, other sections list other/additional groups.

TDM Coordinator

An appointed TDM Coordinator will oversee implementation of all TDM measures. Responsibilities include:

- Conducting annual surveys of employees to determine travel mode share and identify barriers to alternative transportation.
- Completing the City of Portland's TDM Reporting Form annually.
- Coordinating communication of transportation options to employees and guests, including posting maps, schedules, and rideshare information in common areas.
- Tracking mode split progress toward the City-approved targets.

6 Resident, Guest, Customer & Employee Survey

The TDM Plan will include a transportation survey prior to implementation and on an annual basis. The survey will consist of questions to gain an understanding of resident, guest, and employee commuting means and effectiveness of the TDM strategies. The survey will include questions such as:

1. Vehicle ownership and parking location
2. Mode of transportation (car, bus, walking, taxi/rideshare, bicycle, etc.) to travel to and from the multi-use building.

3. Reason for selected transportation mode
4. Ease of use of selected transportation mode
5. Concerns with using other transportation modes
6. Barriers to vehicle trip reductions such as transit ridership and bicycle use
7. Use of personal vehicles
8. Interest in carpooling to share in transportation expenses.

This survey will be conducted annually for residents of the apartments and employees of the commercial uses and will be electronically tabulated. This information will be used to develop specific strategies and adjust the TDM plan as needed.

7 Parking and Trip ~~Reduction Targets~~ Generation

Only a summary of the final trip generation in table format need be provided in the TDM plan that is consistent with the final in the TMP.

Trip Generation

As part of the Applicant's traffic study for this development, trip generation was calculated using the ITE Trip Generation Manual, 11th Edition. See the summary tables below for the expect generation. Trip generation for the proposed 88 hotel rooms, 73 residential dwelling units, 1,495sf café on the ground floor, 5,007sf restaurant, and 3,271sf bar on the sky floor was determined based on the trip generation rates provided in the 11th edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*. The ITE Manual provides numerous land use codes (LUC) and the volume of site generated trips produced by each category.

Trip generation calculations for the 88 hotel rooms were prepared using LUC #310 – Hotel, which ITE describes LUC 310 as *"a place of lodging that provides sleeping accommodations and supporting facilities such as a full-service restaurant, a cocktail lounge, meeting rooms, banquet room, and convention facilities. A hotel typically provides a swimming pool or another recreational facility such as a fitness room."*

Trip generation calculations for the 73 apartment units were prepared using LUC #222—Multi-Family Housing (High-Rise), which ITE describes as "*high-rise multifamily housing includes apartments, townhouses, and condominiums. Each building has more than 10 floors of living space. Access to individual dwelling units is through an outside building entrance, a lobby, elevators, and a set of hallways."*

Trip generation calculations for the 5,007sf restaurant were prepared using LUC #931 – Fine Dining Restaurant, described as "*a full-service eating establishment with a typical duration of stay of at least 1 hour. A fine dining restaurant generally does not serve breakfast; some do not serve lunch; all serve dinner. This type of restaurant often requests and sometimes requires a reservation and is generally not part of a chain. A patron commonly waits to be seated, is served by wait staff, orders from a menu and pays after the meal. Some of the study sites have lounge or bar facilities (serving alcoholic beverages), but meal service is the primary draw to the restaurant."*

Trip generation calculations for the 1,495sf café have been prepared using LUC #930 – Fast Casual Restaurant, described as "*a sit-down restaurant with no (or very limited) wait staff or table service. A customer typically orders off a menu board, pays for food before the food is prepared, and seats themselves. The menu generally contains higher-quality, made-to-order food items with fewer frozen or processed ingredients than a fast-food restaurant. Most patrons eat their meal within the restaurant, but a significant*

proportion of the restaurant sales can be carry-out orders. A fast-casual restaurant typically serves lunch and dinner; some serve breakfast. A typical duration of stay for an eat-in customer is 40 minutes or less."

Trip generation calculations for the 3,271 sky lobby bar and lounge have been prepared using LUC #975 – Drinking Place, which ITE describes as *"a drinking place contains a bar, where alcoholic beverages and food are sold, and possibly some type of entertainment, such as music, television screens, video games, or pool tables."*

In the *Trip Generation Manual*, ITE provides the *Average* trip generation rate and the *Fitted Curve* trip generation rate. MaineDOT guidelines state that when $R^2 \geq 0.80$, the *Fitted Curve* trip generation rate shall be used. The trip generation calculations for the apartment units, hotel units, and commercial space are provided below in Table 1.1 and Table 1.5:

Table 1.1
ITE Trip Generation Calculations - Dense Multi-Use Urban

Land Use	Multifamily Housing (High-Rise) Not Close to Rail Transit - LUC 222						
Time Period	**Dwelling Units (X)**	**R^2**	**Fitted Curve Equation/Avg. Rate**	**Trips Generated (T)**	**Distribution Entering / Exiting**	**Enter**	**Exit**
AM Weekday Peak Hour (Street)	73	0.92	T = 0.28(X) - 7.17	13	41% / 59%	5	8
PM Weekday Peak Hour (Street)	73	0.91	Ln(T) = 0.95 Ln(X) - 1.36	15	50% / 50%	8	7
AM Weekday Peak Hour (Generator)	73	n/a	0.26	19	10% / 90%	2	17
PM Weekday Peak Hour (Generator)	73	n/a	0.15	11	66% / 34%	7	4
Saturday Peak Hour	73	n/a	0.09	7	43% / 57%	3	4

Table 1.2
ITE Trip Generation Calculations - Dense Multi-Use Urban

Land Use	Hotel - LUC 310					
Time Period	**Rooms**	**Avg. Trip Gen. Rate (Trips/Room)**	**Trips Generated**	**Distribution Entering / Exiting**	**Enter**	**Exit**
AM Weekday Peak Hour (Street)	88	0.31	27	39% / 61%	11	16
PM Weekday Peak Hour (Street)	88	0.21	18	44% / 56%	8	10
AM Weekday Peak Hour (Generator)	88	0.33	29	51% / 49%	15	14
PM Weekday Peak Hour (Generator)	88	0.34	30	30% / 70%	9	21
Saturday Peak Hour	88	0.22	19	67% / 33%	13	6

Table 1.3 ITE Trip Generation Calculations - General Urban/Suburban						
Land Use	**Fine Dining Restaurant - LUC 931**					
Time Period	**Sq. Footage (1k)**	**Avg. Trip Generation Rate (Trips Per 1 ksf)**	**Trips Generated**	**Distribution Entering / Exiting**	**Enter**	**Exit**
AM Weekday Peak Hour (Street)		n/a				
PM Weekday Peak Hour (Street)	5.007	7.80	39	67% / 33%	26	13
AM Weekday Peak Hour (Generator)	5.007	4.47	22	80% / 20%	18	4
PM Weekday Peak Hour (Generator)	5.007	8.28	41	61% / 39%	25	16
Saturday Peak Hour	5.007	10.68	53	59% / 41%	31	22

Table 1.4 ITE Trip Generation Calculations - General Urban/Suburban						
Land Use	**Fast Casual Restaurant - LUC 930**					
Time Period	**Sq. Footage (1k)**	**Avg. Trip Generation Rate (Trips Per 1k Sf)**	**Trips Generated**	**Distribution Entering / Exiting**	**Enter**	**Exit**
AM Weekday Peak Hour (Street)*	1.495	12.55	19	50% / 50%	10	9
PM Weekday Peak Hour (Street)	1.495	12.55	19	55% / 45%	10	9
AM Weekday Peak Hour (Generator)*	1.495	18.57	28	63% / 37%	18	10
PM Weekday Peak Hour (Generator)	1.495	18.57	28	62% / 38%	17	11
Saturday Peak Hour	1.495	32.64	49	55% / 45%	27	22

*We have assumed that the AM peak hours are similar to the PM peak hours because the study sites do not typically serve breakfast.

Table 1.5 ITE Trip Generation Calculations - General Urban/Suburban						
Land Use	**Drinking Place - LUC 975**					
Time Period	**Sq. Footage (1k)**	**Avg. Trip Generation Rate (Trips Per 1k Sf)**	**Trips Generated**	**Distribution Entering / Exiting**	**Enter**	**Exit**
AM Weekday Peak Hour (Street)		Closed				
PM Weekday Peak Hour (Street)	3.271	11.36	37	66% / 34%	24	13
AM Weekday Peak Hour (Generator)		Closed				
PM Weekday Peak Hour (Generator)	3.271	15.53	51	68% / 32%	35	16
Saturday Peak Hour*	3.271	15.53	51	68% / 32%	35	16

*Saturday peak hour data not provided by ITE; Saturday peak hour assumed similar to Weekday PM (generator),

Table 1.6, following, summarizes the trip generation calculations provided in Tables 1.1 through 1.5, and presents the total trip generation for the proposed multi-use building.

Table 1.6 ITE Trip Generation Summary			
Time Period	**Total Trips Generated**	**Enter**	**Exit**
AM Weekday Peak Hour (Street)	59	26	33
PM Weekday Peak Hour (Street)	128	76	52
AM Weekday Peak Hour (Generator)	98	53	45
PM Weekday Peak Hour (Generator)	161	93	68
Saturday Peak Hour	179	109	70

The preceding table shows that the proposed multi-use building is expected to generate 59 trips during the AM peak hour of the adjacent street, and 128 trips during the PM peak hour of the adjacent street. During the peak hours of the generator, the site is expected to produce 98 trips in the AM and 161 trips in the PM. During the Saturday peak hour, the development is expected to generate a maximum of 179 trips.

Trip Adjustments

It is assumed that a certain number of trips generated by the proposed residential units and hotel rooms will also visit the on-site café, restaurant, and bar. We have calculated the internally captured (shared) trips for proposed developments using the approach recommended by the ITE *Trip Generation Handbook*, which recommends using the NCHRP Report 684 methodology. The NCHRP Report 684 determines the internally captured trips between office, retail, restaurant, cinema/entertainment, residential, and hotel land uses.

The NCHRP spreadsheets, included in the *Traffic Movement Permit*, have been prepared by inputting the total trips generated by the proposed residential, hotel, and restaurant uses. The outputs of the spreadsheets are summarized below in Table 1.7:

Table 1.7 NCHRP Report 684 Summary						
Time Period	**Internal Capture Percentages**			**External Vehicle Trips**		
	Total	**Enter**	**Exit**	**Total**	**Enter**	**Exit**
AM Weekday Peak Hour (Street)	11%	12%	10%	52	22	30
PM Weekday Peak Hour (Street)	11%	9%	13%	114	69	45
Saturday Peak Hour	10%	8%	13%	161	100	61

Table 1.7 shows that with the internally captured trips accounted for, the site is expected to produce 52 external vehicle trips in the AM peak hour, 144 external vehicle trips in the PM peak hour, and 161 external vehicle trips in the Saturday peak hour.

Expected Parking Generation

Similarly, only a table of the final parking generation need be provided in table format.

It should be noted that based on the City's Land Use Code, on-site parking is not required to be provided. However, as part of this TDM Plan, we are estimating parking demand based on the proposed uses of the site. The uses included 88 hotel rooms, 73 residential dwelling units, a 1
a 5,007sf restaurant, and a 3,271sf bar and lounge.

Based on the Institute of Transportation Engineers (ITE) Parking Generation Manual, 6th Edition, we have estimated parking demand for the proposed development. The calculations are shown below in Tables 2.1 through 2.5

Table 2.1
ITE Parking Generation Calculations

Land Use	Multifamily Housing (High-Rise) Not Close to Rail Transit - LUC 222			
Time Period	**Dwelling Units (X)**	**R^2**	**Fitted Curve Equation/Avg Rate**	**Parking Demand (P)**
Weekday (Monday - Friday)	73	0.98	P = 1.25(X) - 39.49	52
Saturday	73	n/a	1.11	81

Table 2.2
ITE Parking Generation Calculations

Land Use	Hotel - LUC 310			
Time Period	**Rooms (X)**	**R^2**	**Fitted Curve Equation/Avg Rate**	**Parking Demand (P)**
Weekday (Monday - Friday)	88	0.88	Ln(P) = 0.82Ln(X) + 0.55	68
Saturday	88	0.69	0.65	57

Table 2.3
ITE Parking Generation Calculations

Land Use	Fine Dining Restaurant - LUC 931			
Time Period	**Sq. Footage (1k) (X)**	**R^2**	**Fitted Curve Equation/Avg Rate**	**Parking Demand (P)**
Weekday (Monday - Thursday)	5.007	0.97	P = 17.69(X) - 8.25	80
Weekday (Friday)	5.007	0.87	Ln(P) = 0.81LN(X) + 3.25	95
Saturday	5.007	0.84	P = 15.80(X) + 15.37	94

Table 2.4
ITE Parking Generation Calculations

Land Use	Fast Casual Restaurant - LUC 930			
Time Period	**Sq. Footage (1k) (X)**	**R^2**	**Fitted Curve Equation/Avg Rate**	**Parking Demand (P)**
Weekday (Monday - Friday)	1.495	0.63	9.77	15
Saturday	1.495	n/a	7.97	12

Table 2.5 ITE Parking Generation Calculations				
Land Use	**Brewery Tap Room - LUC 971**			
Time Period	**Sq. Footage (1k) (X)**	**R^2**	**Fitted Curve Equation/Avg Rate**	**Parking Demand (P)**
Weekday (Monday - Thursday)	3.271	n/a	5.66	19
Weekday (Friday)	3.271	n/a	6.21	20
Saturday	3.271	n/a	6.76	22

Table 2.6 ITE Parking Generation Summary	
Time Period	**Total Trips Generated**
Weekday (Monday - Friday)	250
Saturday	266

Table 2.6 shows that the parking demand for the proposed development is 266 spaces.

However, this type of development is transit-oriented and located in a part of Portland well-served by public transportation, with connections to multiple other transit routes. As a result, it is anticipated that residents, employees, and visitors will have less reliance on single-occupancy vehicles. Additionally, the area's existing pedestrian and bicycle infrastructure will support and encourage walking and biking for local and neighborhood trips.

Mode Split

8 ~~Parking & Trip Rate Reduction~~ Targets

Only Mode Split Targets are required now (see TDM Guidance in Technical Manual). Trip and parking generation is for context.

Studies show that implementation of an effective TDM plan can reasonably achieve vehicle trip reductions of up to 10%. Implementation will begin with a thorough initial survey to document travel mode splits and observe travel patterns to and from the different uses within the development.

Mode Split

Customize ~~Parking and Trip Reduction~~ Strategies

The strategy to reduce parking and trip demand will be aimed at residents, guests, [illegible] Strategies will seek to reduce employee vehicle trips to the site, especially during normal peak traffic hours. Ridesharing will be coordinated and promoted amongst staff. Information regarding the Metro, Metro Breez, South Portland and the Biddeford, Saco and Old Orchard Beach Transit Service, and a program to discount passes will be made available to residents, guests, and staff. As mentioned above, bicycle parking will also be provided outside to encourage bicycle commuting.

How will the 'discount passes' be set up and what is the discount: full fare, or other %?

For residents and guests, strategies will focus on both initially travelling to and from the building for work and pleasure trips, especially those within the greater Portland area. Information will be provided and readily available regarding desirable walking routes to transit and nearby attractions, such as restaurants and shops and other nearby destinations such as the Eastern Promenade and the Old Port.

10% is a reasonable target over the first 3-5 years of implementation - state the goal and the intended timeline to achieve that target.

Consolidate the 'strategies' from sections 8, 9 and 11 into one main section with the 3 main types as sub-headers.

9 Education

Transit Maps and Schedules:
Within the vicinity of the site, the METRO has bus stops at Union St at Fore St, Middle St at 188 Middle St, Temple St at Federal St, and Temple St at Free St. Information on routes, schedules, and payment methods for buses will be provided to residents and guests upon request. Information may also be provided on the services available at the Portland Transportation Center, which include the Amtrak Downeaster and Concord Coach Bus Lines for intercity and regional service.

Suggestions for the most convenient pedestrian routes to relevant local bus stops will be made available. All intersection crossings along the route have crosswalks and include pedestrian signals at signalized intersections.

Resident and employee orientation will include information related to discount programs for the Metro, Metro Breez, South Portland Bus Service, and Biddeford/Saco/Old Orchard Beach Bus service.

Ridesharing:
The TDM Coordinator will actively promote and coordinate ridesharing amongst residents and employees. This will be done through bulletin boards in employee areas, and employee email lists. Residents and employees who actively rideshare/carpool will be recognized for their efforts on newsletter announcements and/or bulletin board postings in the employee areas.

10 Monitoring

The TDM Plan will be monitored over time to determine its ongoing effectiveness. The TDM Coordinator will be responsible for this monitoring and making changes as necessary to better meet the TDM goals.

One year after receiving certificate of occupancy,
~~After an initial startup period~~, the Applicant, through the TDM Coordinator, will submit a status report to the City of Portland containing the following information: every May 15th

- Summary and analysis of completed TDM Surveys
- Usage data for TDM programs initiated
- Mode Split by trip type
- Comparison to previous surveys (after initial survey)
- Proposed changes to TDM Plan (Education, Infrastructure, and Incentive) after each subsequent survey
- Updated TDM usage data from year to year and noted updated programs.

The development may not be at or near full occupancy at opening, an annual report will be filed with the City, however, it will be important to note how the TDM plan is functioning and how effective it is as the project nears full capacity. Because the hotel demand is seasonal, this will be completed after the first full summer season of operation. [see above regarding start date for reporting]

Please provide a date ("Every 2 years, strategies and mode split targets will be updated based on survey responses and progress on meeting mode split targets.", e.g.).

11 Project Specific Standards

Infrastructure

The following onsite infrastructure improvements are currently proposed:

- Bicycle parking racks will be located exterior to the building on the site itself and on adjacent properties owned by a related party. Number of spaces (43 total) will meet minimum according to Article 14 of the Land Use Code.
- A bulletin board will be provided in the employee area with information as described herein. The TDM Coordinator will be responsible for keeping material current and available.
- An option for a kiosk or monitor in the lobby will be further investigated.
  The kiosk should be implemented as part of the TDM program.

Incentives

The following incentives will be provided to residents, guests, and employees to encourage their active participation in the TDM plan:

A. Effective Parking "Cash Out": With no parking provided on-site, residents will be provided with a choice as to whether to pay for a parking space off-site. Those who choose not to own their own vehicle will be able to reduce their housing costs through this decoupling of parking cost and condo ownership.

B. Transit Incentives: Research has shown that moving into a new home is a chance for residents to try new transportation options. In order to make sure that new residents are aware of, and have incentives to try, transit, the Applicant will provide new residents with a credit on the DiriGo app. That app can be used for trips on METRO, BSOOB Transit and/or South Portland Bus Service. This loaded amount will make trying transit very easy and ensure that residents have loaded the DiriGo app on their phones. This credit will be provided to new residents for at least five years after building occupancy. Should residents not own a phone, the Applicant will provide them with a DiriGo Pass (formerly a DiriGo TouchPass) loaded with a credit amount, to be determined.

C. Car and Bike Sharing: While Portland currently does not have a car-sharing vendor, should one become available, the Applicant commits to working with the City to provide a car-sharing vehicle nearby. Similarly, the Applicant is interested in working with the City and any bike-sharing systems it may have, including assisting with sponsorship of some of the system.
Please contact Tandem Mobility about the process/costs involved with bike share station sponsorship.

D. Telecommuting: This building will be set-up and wired with the best internet access currently available in this location, to encourage telecommuting as a trip reduction strategy.

E. Hotel Guests: As an incentive for participating in the annual TDM survey, hotel guests may receive a hotel credit to use on property.

10 Conclusions

This preliminary TDM plan has been prepared in conjunction with East Brown Cow – Kowtower LLC, and will continue to be detailed during the Site Plan Approval process. We anticipate there will be comments from City staff, and we look forward to working with the City to arrive at a TDM plan that best fits this type of development and its location within the City of Portland. To that end, this project

is supportive of the City's goals of reducing single occupancy usage, increasing transit ridership, and increasing pedestrian and bicycle activity.

Carter Frank <cfrank@portlandmaine.gov>

Old Port Square

1 message

Siana Emery <sianaemery@gmail.com> Thu, May 8, 2025 at 11:48 AM
Reply-To: sianaemery@gmail.com
To: planningboard@portlandmaine.gov

Hello,

As a lifelong Mainer, I am writing to express strong opposition for the proposed Old Port Square project from Brown Cow Development and partners.

While it is true Portland needs development, this is exactly the kind of out of touch project that catapulted the city into its current cost of living crisis.

Aside from being a visual monstrosity that is a slap in the face to the remaining character the makes Portland unique (and business owners who have had to abide by strict aesthetic rules), but this development is clearly by the uber wealthy, for the uber wealthy. While a growing number of people are pushed onto the streets due to absentee landlords, the thought that something like this is even being considered is beyond infuriating.

Portland needs developments that actually target the needs of the people already here. Affordable/Workforce Housing, for example, should be top priority. Not whatever this is. And as we can see in cities across the globe, buildings like this often remain largely vacant, due to the exorbitant prices. If a company wants to spend this much money on a project, why not renovate the time and temperature building?

Portland, and Maine as a whole, is rapidly losing its soul. Many of the industries that we are known for are in peril, due to things like climate change, but also due to the working class being pushed further and further out.

Approving a project like this would be completely tone-deaf to the needs of the community. Keep Boston in Boston.

I hope you will consider listening to your constituents.

-Siana

Carter Frank <cfrank@portlandmaine.gov>

Old Port Square Skyscraper Proposal

1 message

Jason Rubinoff <jasonrubinoff11@gmail.com> Thu, May 15, 2025 at 5:15 PM
Reply-To: jasonrubinoff11@gmail.com
To: planningboard@portlandmaine.gov

Hello all,

My name is Jason Rubinoff and I am a 30 year old lifelong Portlander.

I am reaching out to voice my concern and disapproval of the Old Port Square Skyscraper scale, as well as my general concern of an ever growing number of impervious surfaces in the city with no plans to deal with the extra run off and degradation of water sources.

I work in construction, and growing up here see how badly we need more buildings to go up. I also believe this building is not going to add anything of significance to address the multiple crises the city faces today and will face in the future.This building is simply too tall and it's proposed uses will not do anything to help our affordability crisis, transportation issues, or climate resiliency.

Please consider reducing the height, and also how to make this building into something that will actually benefit the community rather than just East Brown Cow, the architects, and their investors. There is a scenario where everyone can win.

Best,

Jason Rubinoff

Carter Frank <cfrank@portlandmaine.gov>

Old Port Square

1 message

Amy Lawrence <amylawrence68@gmail.com> Fri, May 16, 2025 at 10:54 AM
Reply-To: amylawrence68@gmail.com
To: planningboard@portlandmaine.gov

Dear Planning Board,

I am writing to express my disapproval of the proposed building of Old Port Square. At 380 feet, the height of the building would be too drastic of a contrast to the area's historical buildings. Furthermore, it will change the charm of the city. It will be an eyesore for a few years until other similarly tall buildings will be built up around it and at which point the whole charm of Old Port will be lost.

We need only look to the Seaport District of Boston to see what can happen to a working waterfront. Once we go down that slippery slope, there is no turning back.

Sincerely,

Amy Lawrence
30 Merrill Street, Unit 5
Portland

Carter Frank <cfrank@portlandmaine.gov>

Problem development

1 message

'Stephen Greene' via Planning and Urban Development <planning@portlandmaine.gov> Tue, May 27, 2025 at 10:32 AM
Reply-To: Stephen Greene <sgreene1@mac.com>
To: planning@portlandmaine.gov

This development proposal, Old Port Square, is a nightmare. Coming from Boston we have seen how this plays out, people with money push these projects through and the community pays the price. This is a major reason we left Boston and have lived and loved Portland. There is so many empty buildings that can be rehabbed into livable spaces in Portland that developers could invest in versus this phalanx symbol of some developers ego and greed.

Stephen Greene
30 Merrill st
Unit 5
Portland, ME
Sent from my iPhone

Disapproval of Old Port Square Plan

0 views

Subscribe



Ellinor Couchman <ellinorcouchman@gmail.com> Aug 17, 2025, 4:19:41 PM (16 hours ago)

to planning@portlandmaine.gov

Hello, this is a Portland local mailing to raise concerns about East Brown Cow's proposed luxury hotel. Since moving to Portland, I've grown an honest affinity for how the skyline is pedestrian-oriented. The modest stature of Portland feels natural for an eye-level experience. It's a welcome departure compared to my frame-of-reference of growing up in the Midwest--a place where nearly every building hearkens to the post-automobile world. Towns should be designed for humans, not cars.

Keep Old Port old! The influx of traffic a 380 foot tall hotel would bring might ruin the fragile and unique character which Portland has fostered for hundreds of years.

PC6

Gregory Bronn <gregbronn@gmail.com> Aug 19, 2025, 2:54:55 PM (17 hours ago)
to planning@portlandmaine.gov

Dear Portland Planning Board,

I am a resident of Portland, and I am writing to express my enthusiastic support for the Old Port Square project, currently under consideration. This development will bring much-needed residential and retail space to our city, in a dense development within the urban core. I believe this development will contribute positively to Portland's growth and economy, and make our city more dynamic and attractive.

I urge the planning board to approve the Old Port Square project, as it represents a visionary step forward for our city's future.

Thank you for your time and consideration.

Best regards,

Greg Bronn
33 Howard St.
Portland, ME 04101

Carter Frank <cfrank@portlandmaine.gov>

Old Port Square

1 message

Siana Emery <sianaemery@gmail.com> Wed, Aug 20, 2025 at 2:43 PM
Reply-To: sianaemery@gmail.com
To: planningboard@portlandmaine.gov

Hello,

I am writing to express concern over the proposed Old Port Square development that I hope you will consider before moving into this project. These are perspectives I share with nearly every commenter on social media and news articles about the project.

First, I am incredibly concerned by the design of the building itself. I fully acknowledge that Portland needs to start building up rather than out/ needs to rework the footprint it already has, as it continues to grow. However, this project is not the way to do it. The Old Port region claims to have regulations on external facades, in order to maintain a certain historical image. Businesses like Papi have even had to remove certain decorative features to adhere to these regulations. If you're concerned with aesthetics, this building blows those regulations out of the water. It is not just the tallest building in the state, but it is such an immense jump that it feels like a slap in the face to those who have been working so hard to maintain Portland's heritage.

More problematic, however, is the purpose of the building and its targeted audience. Portland (and honestly, the entire state) has seen rapid gentrification in recent years, especially the last decade. The cost of living has soared to the point where it is practically unlivable for the average individual. Statewide, a lack of regulations on short-term and seasonal rentals have added fuel to the fire of the housing crisis. What Portland needs to be prioritizing is workforce housing. A city, a community, cannot exist without locals. This building claims to be part hotel, part housing, but who exactly will live in those units? I will put money on it being more uber-wealthy, seasonal residents. Maine has the highest quantity of vacant homes -- largely due to the percentage of which are part-time/second homes. This project would create more units that will remain vacant for the majority of the year, and remain out of reach for locals. Nearly every project in Southern Maine in recent years has been geared toward "luxury" housing that puts profit over people. Some claim that any housing will help alleviate the problem, but what we are seeing in this region is that these units simply attract more people to move into the area, rather than housing those who are already here. A project like this would only contribute toward continuing to raise already skyhigh housing costs.

Anyone who has been in Maine longer than 5-10 years can see: the soul of Portland, of Maine itself, is dying. We don't want Boston north, we want investment into what makes Portland unique.

Thank you.

PC8

Eli Dale <elidaleportland@gmail.com> Aug 26, 2025, 3:19:01 PM (17 hours ago)
to planningboard@portlandmaine.gov

Dear Planning Board,

The height limit for Portland is 15 stories, so a proposal for a 30 story building should be thrown in the trash right away.

This is not Chicago, Los Angeles, or Chicago. This is town where the best buildings were contributed by local people who were proud to put their names on the fascade, built with taste and care. Now anyone can build anything. If you want Portland to remain attractive to tourists, don't wreck it. Institute some standards. If developers can't meet the standards, send them packing.

Eli Dale

40 Salem Street, Portland

PC9

Neil Greenzweig <neilzweig44@gmail.com> Sep 2, 2025, 5:41:53 PM (15 hours ago)
to planningboard@portlandmaine.gov

Portland is a peninsula and the Old Port is the draw. Historical Preservation is expensive and successful. I own a 1 bedroom condo at 150 Middle Street and my unit gets sunlight in the afternoon.

I understand how real estate investment works and I am sure that East Brown Cow Mgt means well but the investment only makes sense if the property has a high valuation. The way you get to high valuation is find buyers and tenants who can afford the rent. How many low income units are to be set aside for residential?

Who can afford to buy a condo in the Tower? Weekenders from NYC & Boston?

200 Middle Street is like putting up a wall around the Old Port. Take Paradise and put up a parking lot. It's obviously wrong. Too close to the Old Port.

Neil Greenzweig



DRAWING LIST

Sheet No.	Sheet Name	Issue Date
A00.00	TITLE SHEET	08/12/25
A00.01	PROGRAM + CALCULATIONS	08/12/25
A00.02	GFA CALCULATIONS	08/12/25
A10.00	SITE & CONTEXT INFORMATION	08/12/25
A10.01	SETTING OUT PLAN	08/12/25
A20.01	FLOOR PLAN - LEVEL 1 GRADE	08/12/25
A20.04	FLOOR PLAN - LEVEL 4 TYP. HOTEL LOBBY	08/12/25
A20.18	FLOOR PLAN - LEVEL 18 TYP. RESIDENTIAL	08/12/25
A20.29	FLOOR PLAN - LEVEL 29 RESTAURANT	08/12/25
A20.30	FLOOR PLAN - LEVEL 30 SKY LOBBY	08/12/25
A20.31	FLOOR PLAN - LEVEL BEACON ROOF	08/12/25
A40.01	OVERALL ELEVATIONS	08/12/25
A50.01	OVERALL BUILDING SECTIONS	08/12/25

45 Union Street

CLIENT:
East Brown Cow - Kowtower LLC

PROJECT ADDRESS:
45 Union Street, Portland, Maine

SAFDIE ARCHITECTS PROJECT NUMBER:
1083.00

ISSUED FOR MAJOR SITE PLAN

08/12/2025

45 Union Street

45 Union Street, Portland, Maine

EAST BROWN COW®

CLIENT
East Brown Cow - Kowtower LLC
100 Commercial Street, Suite 300, Portland, Maine, 04101

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ISSUE

NO.	DESCRIPTION	DATE

KEY PLAN

NOTES

NOT FOR CONSTRUCTION

PROJECT NUMBER	DRAWN BY
1083.00	
DATE	CHECKED BY
05/30/25	
PHASE	
SCHEMATIC DESIGN	

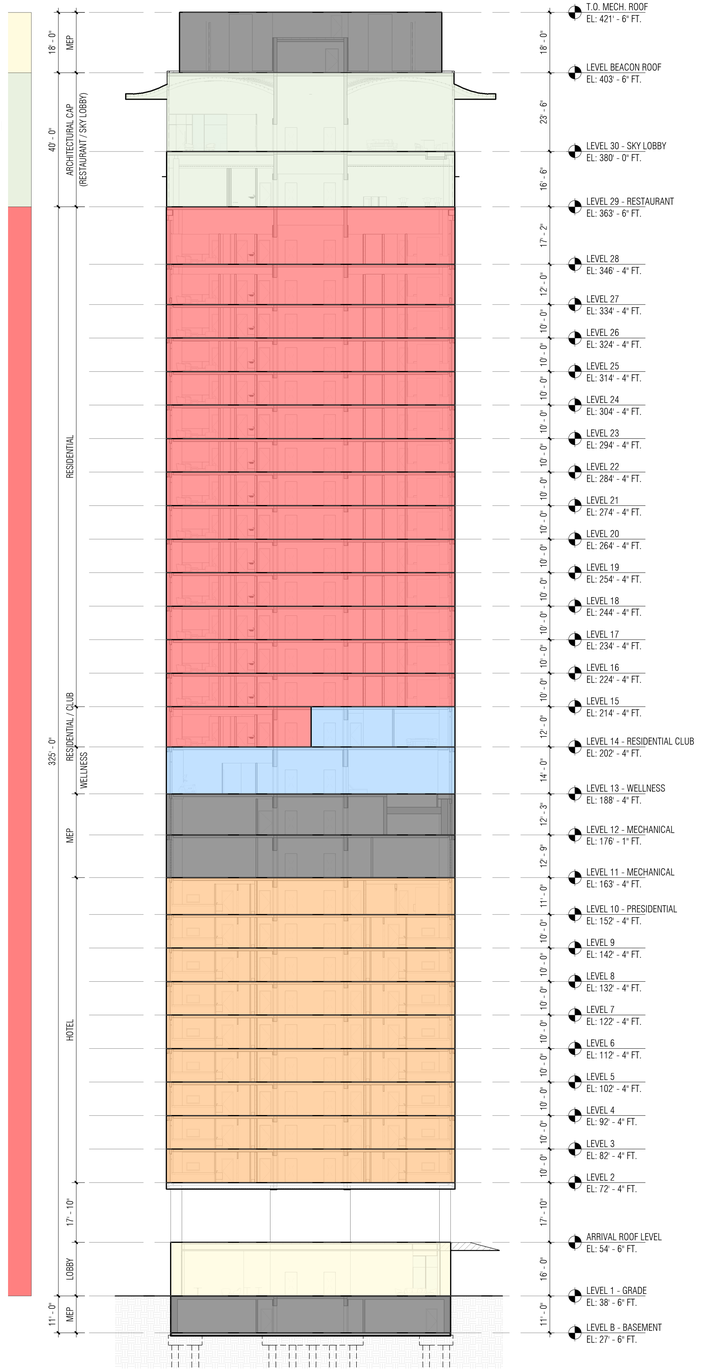
SCALE

DRAWING TITLE
TITLE SHEET

SHEET NUMBER
A00.00

5/2/2025 7:08:46 PM

OVERALL PROGRAM AND UNIT CALCULATIONS



6 NS OVERALL SECTION - PROGRAM

3/64" = 1'-0"

RESIDENTIAL UNIT NET AREA	
Name	Area
JR RESIDENTIAL UNIT	7,715 SF
2 BR RESIDENTIAL UNIT	33,129 SF
1.5 BR RESIDENTIAL UNIT	12,950 SF
1 BR RESIDENTIAL UNIT	10,198 SF
TOTAL RESIDENTIAL NET AREA	63,992 SF

5 RESIDENTIAL UNIT NET AREA

HOTEL UNIT NET AREA	
Name	Area
LOCK OFF	806 SF
2 QUEEN BD ROOM	10,447 SF
1 KING BD ROOM	8,362 SF
1 KING BD PRESIDENTIAL SUITE	1,482 SF
1 KING BD CORNER SUITE	5,643 SF
1 KING BD CORNER ROOM	10,761 SF
TOTAL HOTEL NET AREA	37,501 SF

4 HOTEL UNIT NET AREA

AMENITY NET AREA	
Name	Area
LEVEL 30 - SKY LOBBY	
RECEPTION / LOUNGE	1,309 SF
RESTROOM	263 SF
SERVICE LOBBY	109 SF
SKY BAR	3,271 SF
LEVEL 29 - RESTAURANT	
KITCHEN	1,292 SF
RESTAURANT	3,401 SF
RESTROOM	235 SF
SERVICE LOBBY	109 SF
LEVEL 14 - RESIDENTIAL CLUB	
BOH / SERVICES	145 SF
CLUB LOBBY	291 SF
GREAT ROOM	533 SF
OPEN KITCHEN	525 SF
PRIVATE DINNING	262 SF
RESTROOM	105 SF
SECRET GARDEN	576 SF
SERVICE LOBBY	109 SF
LEVEL 13 - WELLNESS	
BOH / SERVICES	287 SF
FITNESS	1,020 SF
LOCKER ROOM	212 SF
POOL	2,307 SF
RESTROOM	403 SF
SERVICE LOBBY	109 SF
TREATMENT	155 SF
WELLNESS RECEPTION	121 SF
LEVEL 1 - GRADE	
CAFE	1,495 SF
HOTEL LOBBY	1,194 SF
LUGGAGE STORAGE	115 SF
MAIL ROOM	197 SF
RESIDENTIAL LOBBY	799 SF
RESTROOM	109 SF
SERVICE ENTRY	112 SF
SERVICE LOBBY	109 SF
TOTAL AMENITY NET AREA	21,282 SF

3 AMENITY NET AREA

RESIDENTIAL UNIT COUNT	
Name	Count
LEVEL 28	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 27	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 26	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 25	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 24	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 23	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 22	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 21	
1 BR RESIDENTIAL UNIT	1

RESIDENTIAL UNIT COUNT	
Name	Count
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 20	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 19	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 18	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 17	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 16	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 15	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
2 BR RESIDENTIAL UNIT	2
JR RESIDENTIAL UNIT	1
LEVEL 14 - RESIDENTIAL CLUB	
1 BR RESIDENTIAL UNIT	1
1.5 BR RESIDENTIAL UNIT	1
JR RESIDENTIAL UNIT	1
TOTAL RESIDENTIAL UNITS	73

2 RESIDENTIAL UNIT COUNTS

HOTEL UNIT COUNT	
Name	Count
LEVEL 10 - PRESIDENTIAL	
1 KING BD CORNER ROOM	3
1 KING BD PRESIDENTIAL SUITE	1
1 KING BD ROOM	2
2 QUEEN BD ROOM	2
LEVEL 9	
1 KING BD CORNER ROOM	3
1 KING BD CORNER SUITE	1
1 KING BD ROOM	3
2 QUEEN BD ROOM	3
LEVEL 8	
1 KING BD CORNER ROOM	3
1 KING BD CORNER SUITE	1
1 KING BD ROOM	3
2 QUEEN BD ROOM	3
LEVEL 7	
1 KING BD CORNER ROOM	3
1 KING BD CORNER SUITE	1
1 KING BD ROOM	3
2 QUEEN BD ROOM	3
LEVEL 6	
1 KING BD CORNER ROOM	3
1 KING BD CORNER SUITE	1

HOTEL UNIT COUNT	
Name	Count
1 KING BD ROOM	3
2 QUEEN BD ROOM	3
LEVEL 5	
1 KING BD CORNER ROOM	3
1 KING BD CORNER SUITE	1
1 KING BD ROOM	3
2 QUEEN BD ROOM	3
LEVEL 4	
1 KING BD CORNER ROOM	3
1 KING BD CORNER SUITE	1
1 KING BD ROOM	3
2 QUEEN BD ROOM	3
LEVEL 3	
1 KING BD CORNER ROOM	3
1 KING BD CORNER SUITE	1
1 KING BD ROOM	3
2 QUEEN BD ROOM	3
LEVEL 2	
1 KING BD CORNER ROOM	3
1 KING BD CORNER SUITE	1
1 KING BD ROOM	3
2 QUEEN BD ROOM	3
TOTAL HOTEL UNITS	88

1 HOTEL UNIT COUNTS

ANNOTATIONS AND SYMBOLS

DETAIL KEY — 1 / A61.01

GRID LINE KEY — 1

PARTITION TYPE KEY — A3

LEVEL LINE

BENCHMARK / FLOOR ELEVATION MARK — EL: 0 m

ELEVATION KEY — 1 / A45.06

BUILDING SECTION KEY — 4 / A55.09

WALL SECTION KEY — 4 / A55.09

INTERIOR ELEVATION KEY — 1 ELEVATION NUMBER; 2, 3, 4 DRAWING SHEET SHOWING ELEVATION; A45.06

DOOR TYPE KEY
FOR MORE INFORMATION, SEE DOOR SCHEDULE — A305

WINDOW TYPE KEY
FOR MORE INFORMATION, SEE WINDOW TYPES DRAWINGS — 11

GLASS TYPE KEY
FOR MORE INFORMATION, SEE SPECIFICATIONS — 11

ROOM NAME AND NUMBER — 100 ROOM NAME

PROPERTY LINE

MATCH LINE

OBJECTS OVERHEAD (PLAN)
OR BEHIND (SECTION/ELEVATION)

OBJECTS BEYOND

45 Union Street

45 Union Street, Portland, Maine

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PROJECT NUMBER 1083.00
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PHASE SCHEMATIC DESIGN

SCALE As indicated

DRAWING TITLE
PROGRAM + CALCULATIONS

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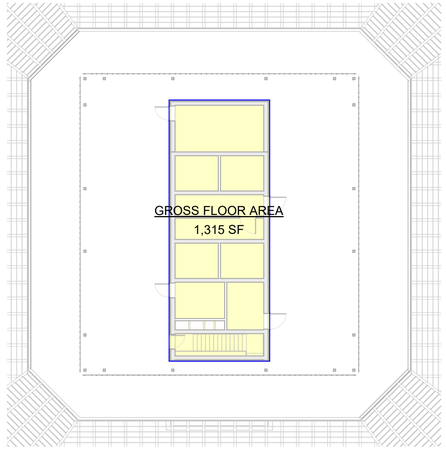
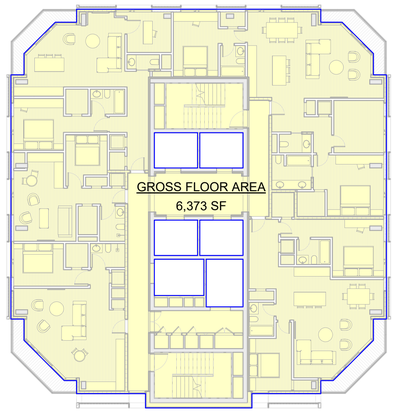
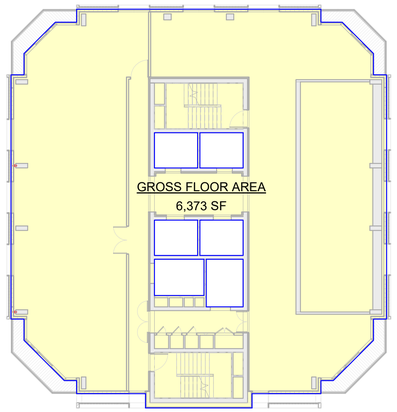


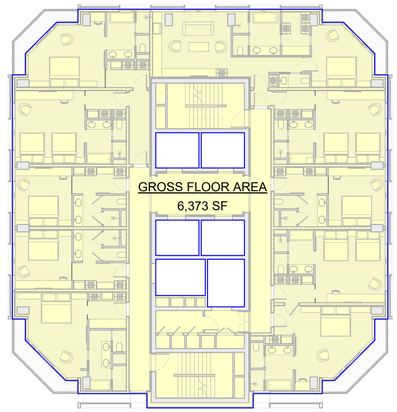
12 LEVEL BEACON ROOF
1/16" = 1'-0"



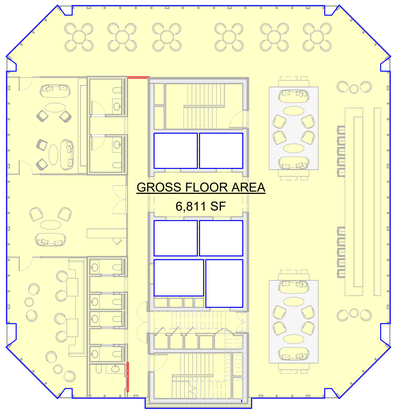
9 LEVEL 16 - TYP. RESIDENTIAL
1/16" = 1'-0"



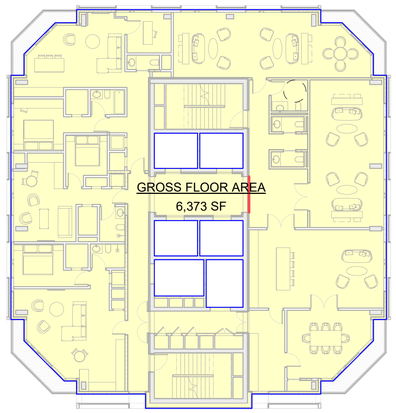
6 LEVEL 12 - MECHANICAL
1/16" = 1'-0"



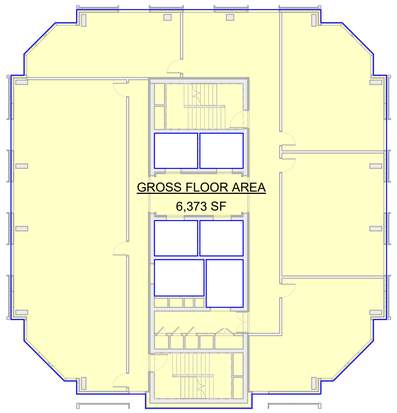
3 LEVEL 2 - TYP. HOTEL
1/16" = 1'-0"



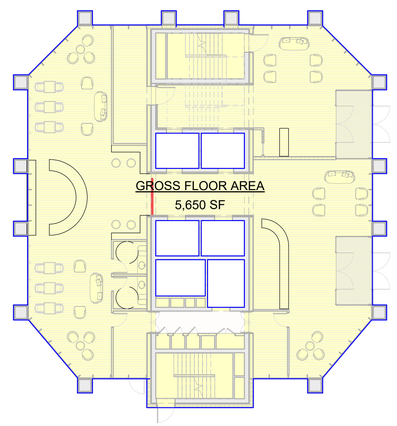
11 LEVEL 30 - SKY LOBBY
1/16" = 1'-0"



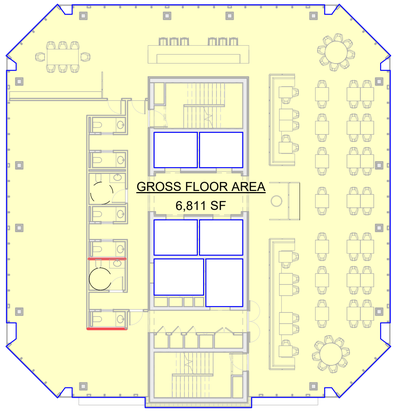
8 LEVEL 14 - RESIDENTIAL CLUB
1/16" = 1'-0"



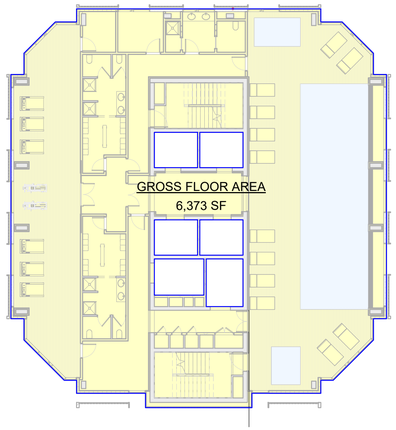
5 LEVEL 11 - MECHANICAL
1/16" = 1'-0"



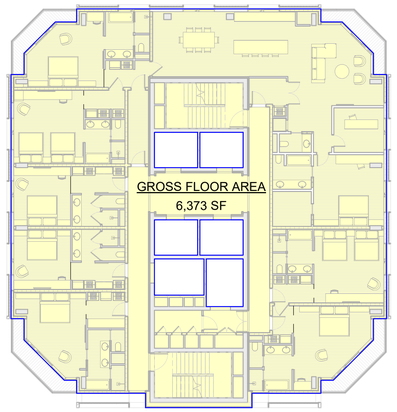
2 LEVEL 1 - GRADE
1/16" = 1'-0"



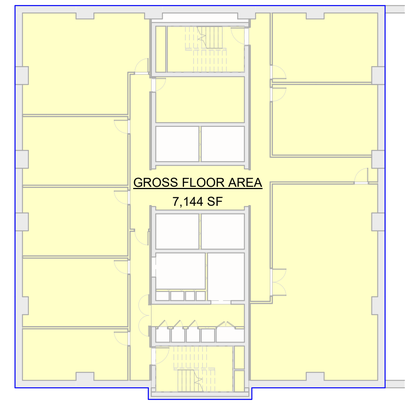
10 LEVEL 29 - RESTAURANT
1/16" = 1'-0"



7 LEVEL 13 - WELLNESS
1/16" = 1'-0"



4 LEVEL 10 - PRESIDENTIAL
1/16" = 1'-0"



1 LEVEL B - BASEMENT
1/16" = 1'-0"

NOTES

FLOOR AREA CALCULATION METHODOLOGY

Gross Floor Area:

- Includes exterior wall assembly to exterior face of glass
- Includes egress stairs
- Excludes major shafts (elevator, mechanical)
- Includes window frame projections beyond wall
- Includes basement
- Includes mechanical penthouse on roof

GROSS FLOOR AREA	
Level	Area
LEVEL BEACON ROOF	1,315 SF
LEVEL 30 - SKY LOBBY	6,811 SF
LEVEL 29 - RESTAURANT	6,811 SF
LEVEL 28	6,373 SF
LEVEL 27	6,373 SF
LEVEL 26	6,373 SF
LEVEL 25	6,373 SF
LEVEL 24	6,373 SF
LEVEL 23	6,373 SF
LEVEL 22	6,373 SF
LEVEL 21	6,373 SF
LEVEL 20	6,373 SF
LEVEL 19	6,373 SF
LEVEL 18	6,373 SF
LEVEL 17	6,373 SF
LEVEL 16	6,373 SF
LEVEL 15	6,373 SF
LEVEL 14 - RESIDENTIAL CLUB	6,373 SF
LEVEL 13 - WELLNESS	6,373 SF
LEVEL 12 - MECHANICAL	6,373 SF
LEVEL 11 - MECHANICAL	6,373 SF
LEVEL 10 - PRESIDENTIAL	6,373 SF
LEVEL 9	6,373 SF
LEVEL 8	6,373 SF
LEVEL 7	6,373 SF
LEVEL 6	6,373 SF
LEVEL 5	6,373 SF
LEVEL 4	6,373 SF
LEVEL 3	6,373 SF
LEVEL 2	6,373 SF
LEVEL 1 - GRADE	5,650 SF
LEVEL B - BASEMENT	7,144 SF
TOTAL GROSS FLOOR AREA	199,803 SF

GENERAL FINISH NOTES

The following notes are intended to help establish the level of finish and detail throughout the project in order to best capture associated costs for budgeting. These are not intended to be final selections and will be revised according to further design development.

1. Hotel guest rooms: pricing to include full interior fitout. EBC to provide guidance on level of quality.
2. Residential units: pricing to include full interior fitout. EBC to provide guidance on level of quality.
3. Public space finishes to be wood or stone flooring, Level 5 finish painted GWB walls, acoustical plaster ceiling, recessed metal base. Room doors to be wood veneer with metal panels at either side of doors. Provide allowance for acoustical wall treatments (wood or fabric) at corridors. See plans for additional finish notes.
4. Back of house spaces to be Nora Uni rolled rubber flooring (solid colur with textured finish, 3mm thick), painted GWB walls, and rubber base. Doors and frames to be painted with Scuffmaster Scrubtough paint.
5. Front of house elevators to have stone flooring, mirror-backed ribbed art glass walls with stainless steel reveals, metal panel ceiling, and integrated light cove. Elevator doors, frame, and header to be bronze.
6. Service elevator to have Nora Uni rolled rubber flooring (textured finish, 3mm thick), laminate wall panels with stainless steel reveals, metal panel ceiling, and integrated light cove.
7. Steel egress stairs for stairs and landings, sealed, with painted GWB walls, recessed painted wood base with Scuffmaster Scrubtough paint, GWB ceiling, and stainless steel handrail. Price to include public-level finishes between levels 19 and 21.
8. All corridor ceilings to be acoustical PL.

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GFA CALCULATIONS

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4 VIEW LOOKING EAST



3 VIEW LOOKING NORTHWEST



2 VIEW LOOKING NORTH



1 VIEW LOOKING SOUTHEAST

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DRAWING TITLE
SITE & CONTEXT INFORMATION

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A10.00

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View from Lobsterman Park



45 Union Street - Motor Court



45 Union Street - Café



45 Union Street + 200 Middle Street - Roofline





View from Portland Harbor - Facing Northwest



View from Portland Harbor - Facing West



View towards Fore River - Facing South



View from Post Office Park



4 NORTH ELEVATION

3 EAST ELEVATION

2 SOUTH ELEVATION

1 WEST ELEVATION

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SCALE
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OVERALL ELEVATIONS

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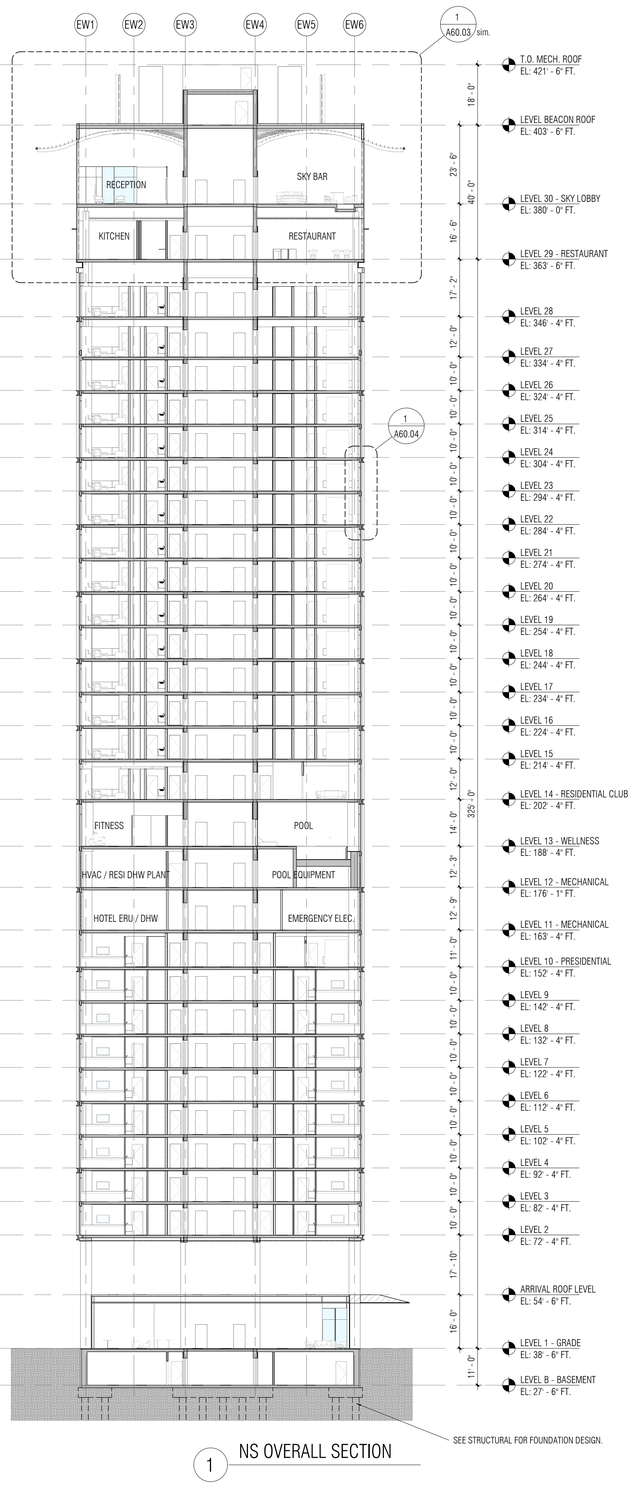
2 EW OVERALL SECTION



1 NS OVERALL SECTION

NOTES

"EWS" REFERENCES REFER TO 2022 ARUP FACADE REPORT PENDING UPDATED FACADE REPORT ISSUANCE.

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KEY PLAN



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SCALE
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OVERALL BUILDING SECTIONS

SHEET NUMBER
A50.01

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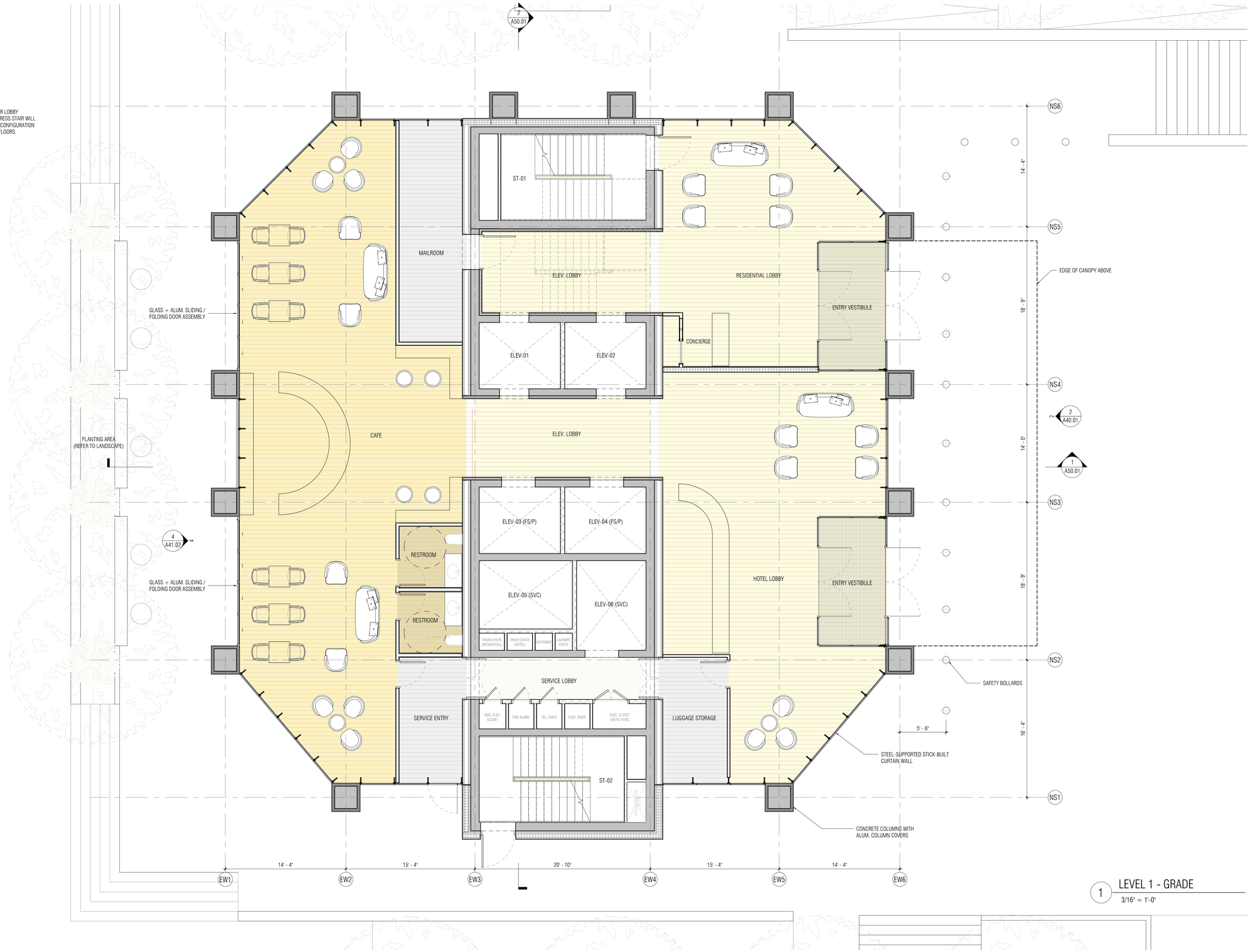
Department Legend

- CIRCULATION
- PUBLIC
- SERVICES
- SUPPORT
- TOILET

GENERAL NOTE: FIRE SERVICE ACCESS ELEVATOR LOBBY ENCLOSURES + PROTECTED CORRIDORS TO EGRESS STAIR WILL APPLY TO ALL LEVELS EXCEPT GROUND FLOOR. CONFIGURATION WILL VARY AT DIFFERNT LEVELS AND AMENITY FLOORS.



1 LEVEL 1 - GRADE
3/16" = 1'-0"

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ISSUE

NO.	DESCRIPTION	DATE

KEY PLAN

NOTES

NOT FOR CONSTRUCTION

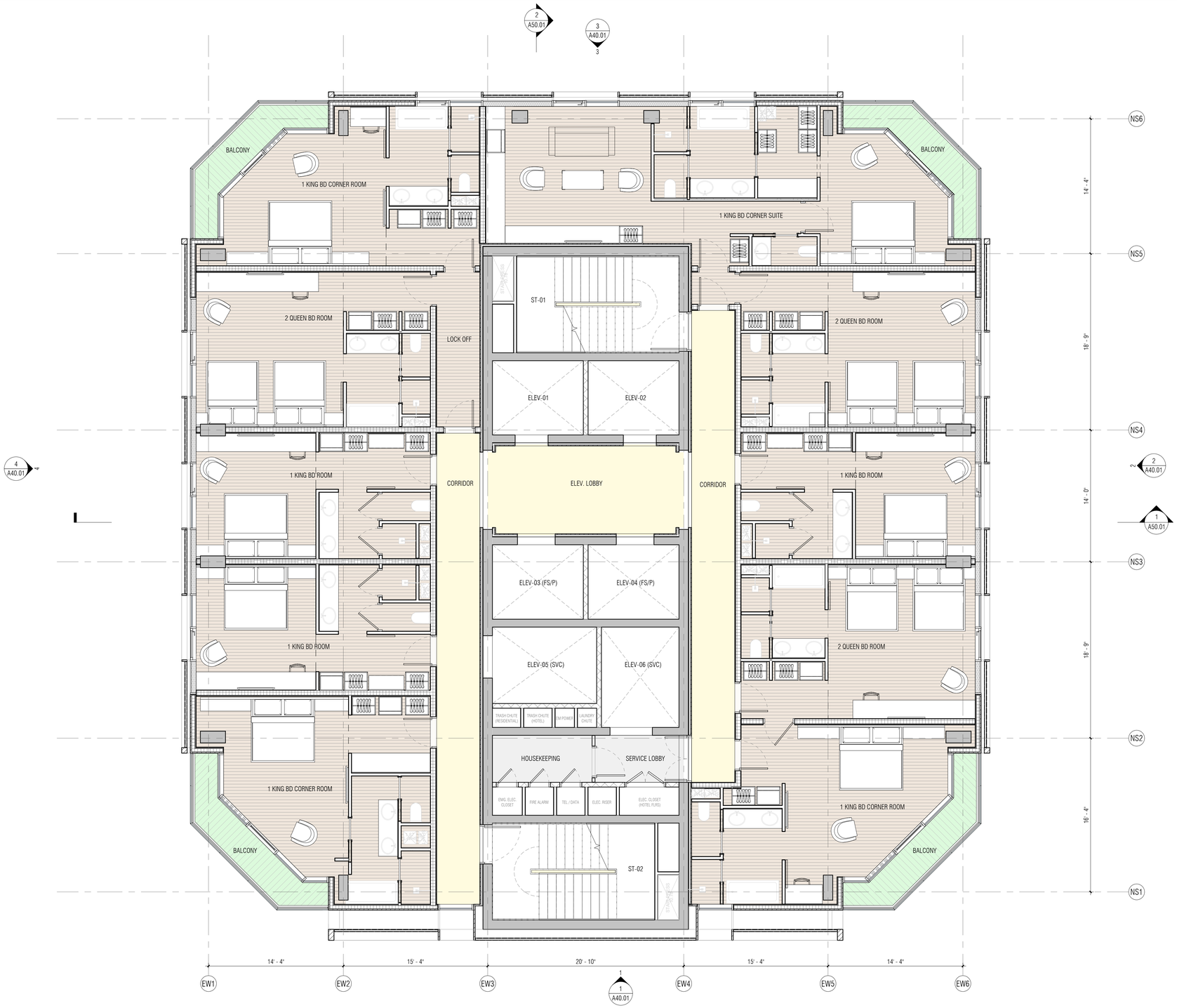
PROJECT NUMBER	DRAWN BY
1083.00	
DATE	CHECKED BY
05/30/25	
PHASE	
SCHEMATIC DESIGN	

SCALE
3/16" = 1'-0"

DRAWING TITLE
FLOOR PLAN - LEVEL 1 GRADE

SHEET NUMBER
A20.01

5/2/2025 7:14:55 PM



Department Legend

- BALCONY
- CIRCULATION
- HOTEL
- SERVICES
- SUPPORT

GENERAL NOTE: FIRE SERVICE ACCESS ELEVATOR LOBBY ENCLOSURES = PROTECTED CORRIDORS TO EGRESS STAIR WILL APPLY TO ALL LEVELS EXCEPT GROUND FLOOR. CONFIGURATION WILL VARY AT DIFFERNT LEVELS AND AMENITY FLOORS.

1 LEVEL 4 - TYP. HOTEL_BALCONY W/ BALCONY
3/16" = 1'-0"

45 Union Street

45 Union Street, Portland, Maine

EAST BROWN COW®

CLIENT
East Brown Cow - Kowtower LLC
100 Commercial Street, Suite 300, Portland, Maine, 04101

DESIGN ARCHITECT
Safdie Architects, LLC
100 Properzi Way
Somerville, MA 02143-3740 USA
T 617.629.2100 F 617.629.2406

CIVIL ENGINEERING
Woodard & Curran
12 Mountfort Street
Portland, ME 04101 USA
T 800.426.4262

LANDSCAPE ARCHITECT
Michael Boucher Landscape Architecture
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Freeport, ME 04032 USA
T 207.865.1080 x7044

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New York, NY 10005 USA
T 212.896.3000

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Cosentini
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DATE	CHECKED BY
05/30/25	
PHASE	
SCHEMATIC DESIGN	

SCALE
3/16" = 1'-0"

DRAWING TITLE
FLOOR PLAN - LEVEL 4 TYP. HOTEL

SHEET NUMBER
A20.04

5/2/2025 7:15:02 PM



Department Legend

- BALCONY
- CIRCULATION
- RESIDENTIAL
- SERVICES

GENERAL NOTE: FIRE SERVICE ACCESS ELEVATOR LOBBY ENCLOSURES = PROTECTED CORRIDORS TO EGRESS STAIR WILL APPLY TO ALL LEVELS EXCEPT GROUND FLOOR. CONFIGURATION WILL VARY AT DIFFERNT LEVELS AND AMENITY FLOORS.

1 LEVEL 18 - TYP. RESIDENTIAL_W/ BALCONY
3/16" = 1'-0"

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ISSUE

NO.	DESCRIPTION	DATE

KEY PLAN

NOTES

NOT FOR CONSTRUCTION

PROJECT NUMBER	DRAWN BY
1083.00	
DATE	CHECKED BY
05/30/25	
PHASE	
SCHEMATIC DESIGN	

SCALE
3/16" = 1'-0"

DRAWING TITLE
FLOOR PLAN - LEVEL 18 TYP. RESIDENTIAL

SHEET NUMBER
A20.18

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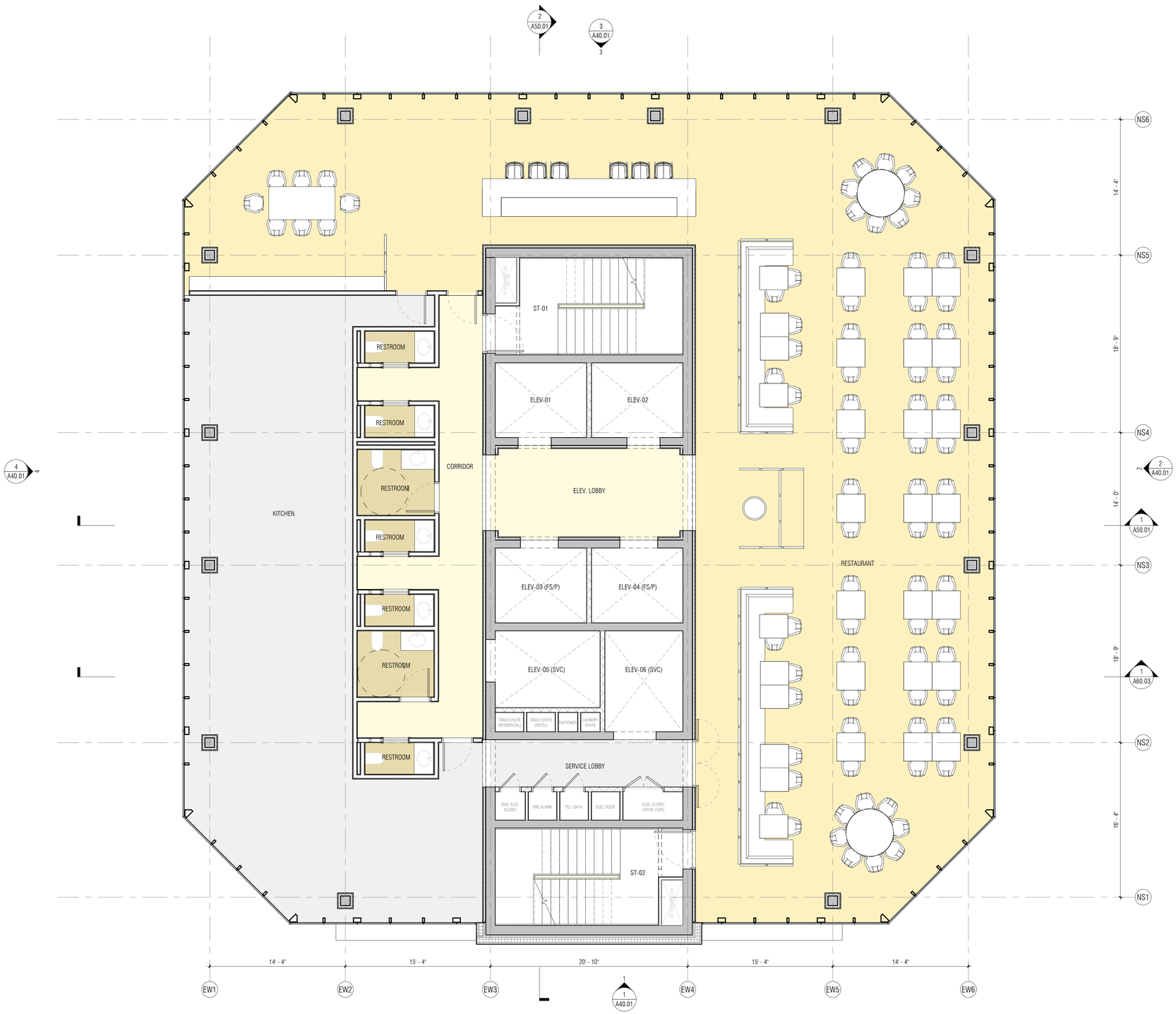

Department Legend

- CIRCULATION
- PUBLIC
- SERVICES
- SUPPORT
- TOILET

GENERAL NOTE: FIRE SERVICE ACCESS ELEVATOR LOBBY ENCLOSURES = PROTECTED CORRIDORS TO EGRESS STAIR WILL APPLY TO ALL LEVELS EXCEPT GROUND FLOOR. CONFIGURATION WILL VARY AT DIFFERNT LEVELS AND AMENITY FLOORS.

1 LEVEL 29 - RESTAURANT
3/16" = 1'-0"

45 Union Street

45 Union Street, Portland, Maine

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100 Commercial Street, Suite 300, Portland, Maine, 04101

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DATE	CHECKED BY
05/30/25	
PHASE	
SCHEMATIC DESIGN	

SCALE
3/16" = 1'-0"

DRAWING TITLE
FLOOR PLAN - LEVEL 29
RESTAURANT

SHEET NUMBER
A20.29

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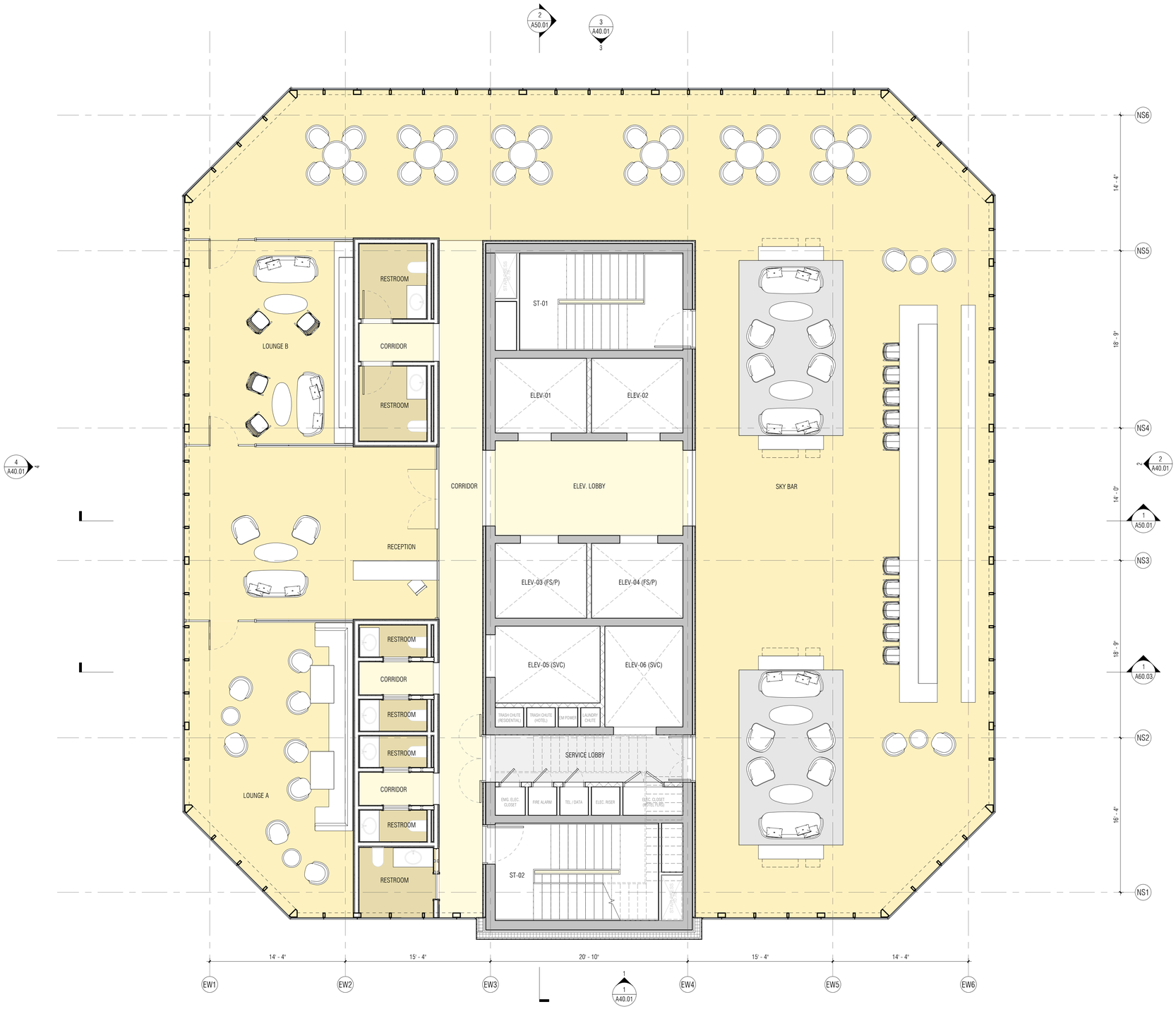

Department Legend

- CIRCULATION
- PUBLIC
- SERVICES
- TOILET

GENERAL NOTE: FIRE SERVICE ACCESS ELEVATOR LOBBY ENCLOSURES = PROTECTED CORRIDORS TO EGRESS STAIR WILL APPLY TO ALL LEVELS EXCEPT GROUND FLOOR. CONFIGURATION WILL VARY AT DIFFERNT LEVELS AND AMENITY FLOORS.

1 LEVEL 30 - SKY LOBBY
3/16" = 1'-0"

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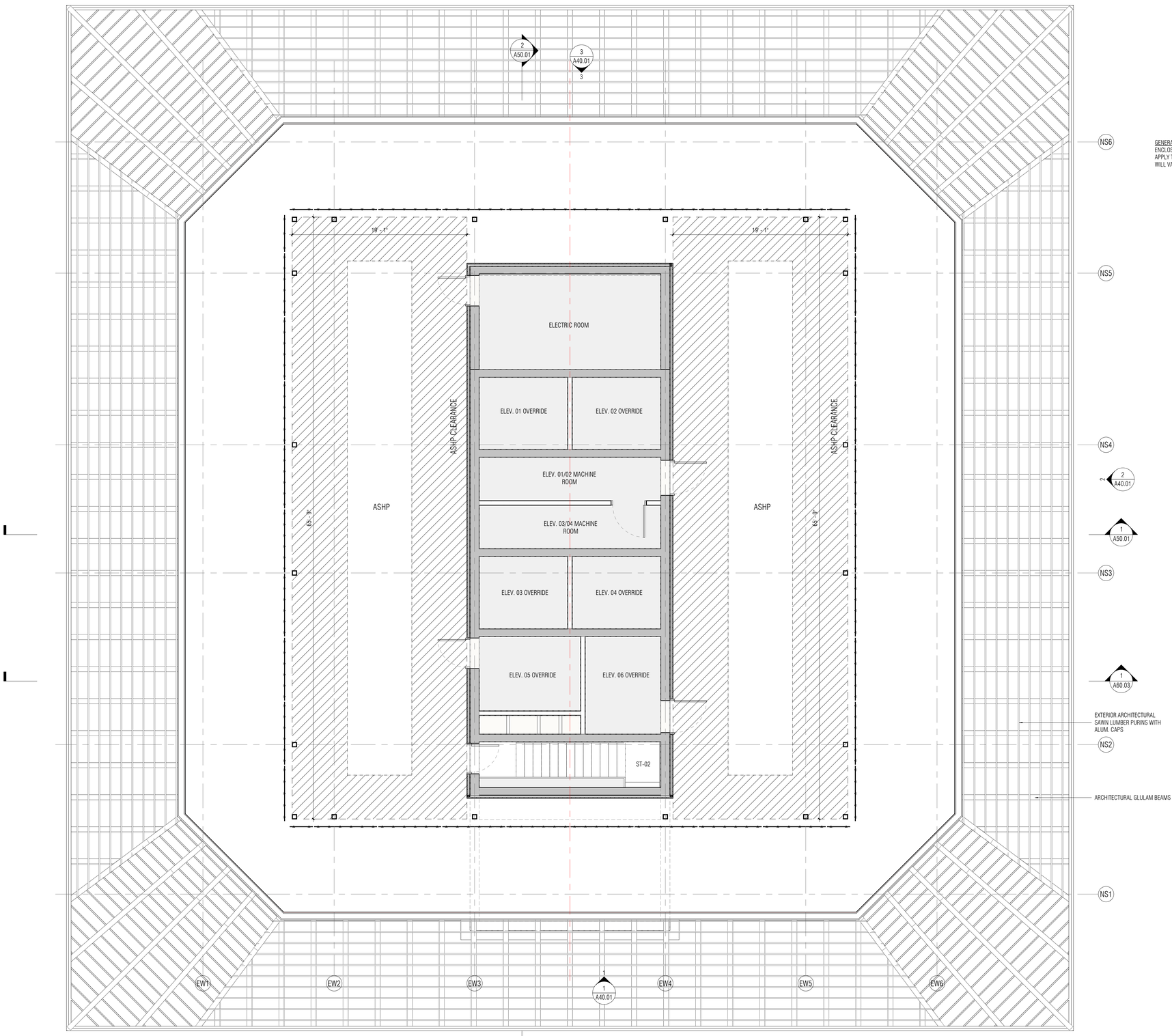
DATE	CHECKED BY
05/30/25	
PHASE	
SCHEMATIC DESIGN	

SCALE
3/16" = 1'-0"

DRAWING TITLE
FLOOR PLAN - LEVEL 30 SKY LOBBY

SHEET NUMBER
A20.30

5/2/2025 7:17:00 PM



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1 LEVEL BEACON ROOF
3/16" = 1'-0"

45 Union Street

45 Union Street, Portland, Maine

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SCHEMATIC DESIGN	

SCALE
3/16" = 1'-0"

DRAWING TITLE
FLOOR PLAN - LEVEL BEACON ROOF

SHEET NUMBER
A20.31

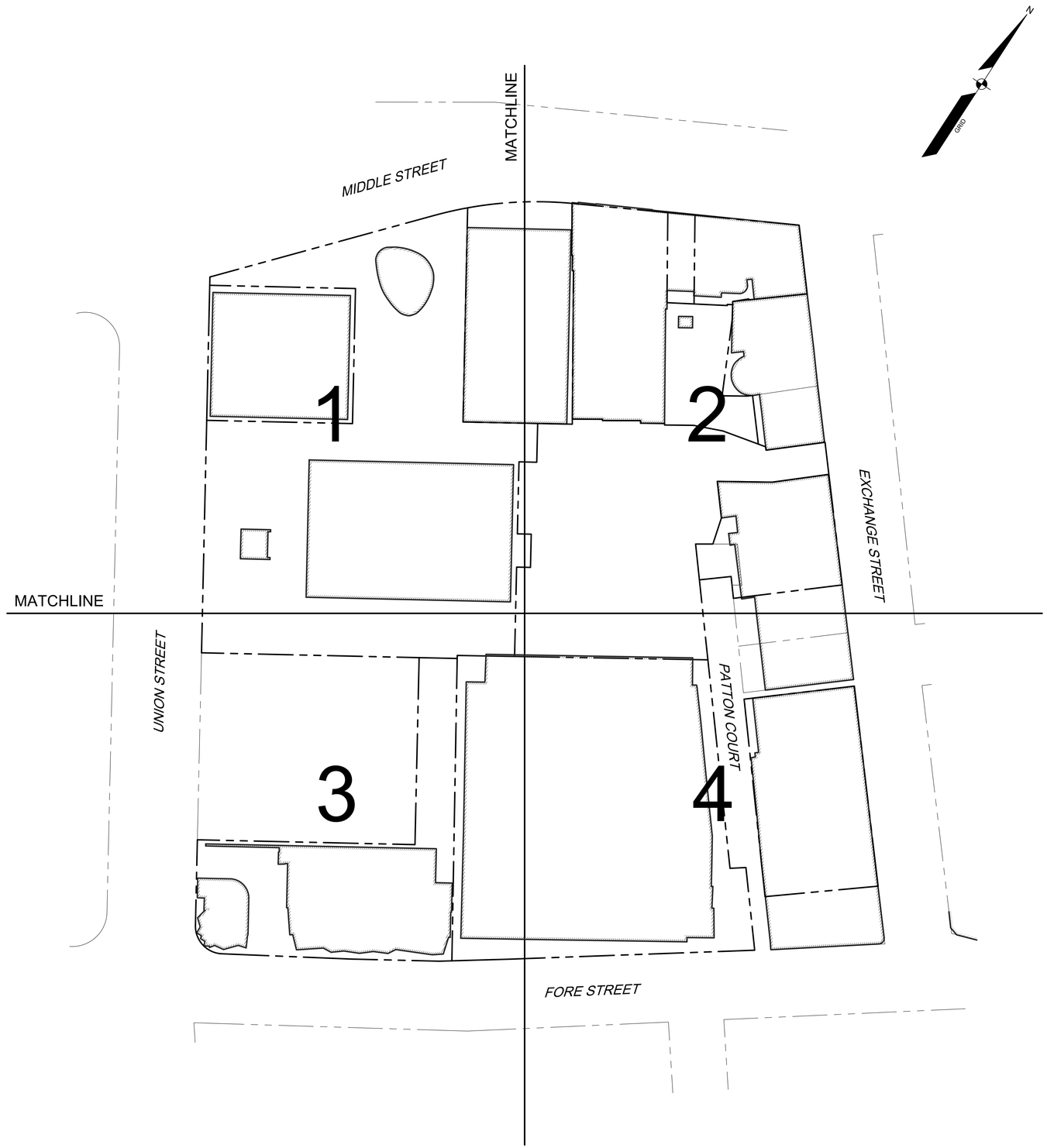
5/2/2025 1:17:26 PM

SHEET INDEX:

SH. 1	COVER SHEET & NOTES
SH. 2	BOUNDARY SURVEY - 1
SH. 3	BOUNDARY SURVEY - 2
SH. 4	BOUNDARY SURVEY - 3
SH. 5	BOUNDARY SURVEY - 4
SH. 6	TOPOGRAPHY PLAN - 1
SH. 7	TOPOGRAPHY PLAN - 2
SH. 8	TOPOGRAPHY PLAN - 3
SH. 9	TOPOGRAPHY PLAN - 4
SH. 10	UTILITY PLAN - 1
SH. 11	UTILITY PLAN - 2
SH. 12	UTILITY PLAN - 3
SH. 13	UTILITY PLAN - 4
SH. 14	STRUCTURE TABLE

LEGEND

EXISTING	DESCRIPTION
	PROPERTY LINE/R.O.W.
	ABUTTER LINE/R.O.W.
	EASEMENT
	MONUMENT (FOUND)
	IRON MARKER (FOUND)
N / F	NOW OR FORMERLY
32(I)-33	TAX MAP (BLOCK), LOT NUMBER
	BUILDING
	DECK/STEPS
	OVERHANG
	LEDGE
	EDGE OF PAVEMENT
	EDGE OF CONCRETE
	EDGE OF BRICK
	PAVEMENT PAINT
	EDGE GRAVEL
	CURB LINE
120 118	CONTOURS
	CHAIN LINK FENCE
	STOCKADE FENCE
	RETAINING WALL
	DECIDUOUS TREE
	SHRUB
	STUMP
	MULCH LINE
	BOLLARD
	SIGN
G	GAS
	GAS GATE VALVE
GM	GAS METER
G	GAS MANHOLE
W	WATER
	WATER GATE VALVE
	WATER SHUT OFF
	HYDRANT
W	WATER MANHOLE
	IRRIGATION BOX
	IRRIGATION VALVE
	YARD DRAIN (YD)
	FIRE SPIGGOT
MW	MONITORING WELL
MH	MANHOLE
S	SANITARY SEWER
S	SANITARY MANHOLE
	SANITARY CLEAN OUT
SD	STORM DRAIN
D	DRAINAGE MANHOLE
	CATCH BASIN
	DRAINAGE CLEAN OUT
OHU	OVERHEAD UTILITY
UGT	UNDERGROUND COMMUNICATIONS
UGE	UNDERGROUND ELECTRIC
UGU	UNKNOWN UNDERGROUND UTILITY
T	TRANSFORMER PAD
C	COMMUNICATIONS BOX
E	ELECTRICAL MANHOLE
EM	ELECTRIC METER
H	HVAC UNIT
C	COMMUNICATIONS MANHOLE
	HANDHOLE
	LIGHT POLE
	MAILBOX
	PARKING METER



GRAPHIC SCALE
40 0 20 40 80
(IN FEET)
1 INCH = 40 FT.

GENERAL NOTES:

1. BOOK AND PAGE NUMBERS ARE REFERENCED TO THE CUMBERLAND COUNTY REGISTRY OF DEEDS UNLESS NOTED OTHERWISE. VAULT AND VOLUME NUMBERS ARE REFERENCED TO THE CITY OF PORTLAND ENGINEERING DIVISION ARCHIVES.
2. BASIS OF BEARING IS GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1802-NAD83, GEOID18, IN U.S. SURVEY FEET, BASED ON DUAL FREQUENCY GNSS OBSERVATIONS. ELEVATIONS DEPICTED HEREON ARE CITY OF PORTLAND VERTICAL DATUM, BASED UPON A LEVEL RUN FROM THE CITY OF PORTLAND BENCHMARK AT CITY HALL BUILDING, CARD REFERENCE L.B. 786/188.
3. AREA AS NOTED WITHIN EACH PROPERTY (SHOWN ON THE BOUNDARY SHEETS).
4. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON FIELD WORK PERFORMED BY SEBAGO TECHNICS, INC. IN MARCH AND APRIL OF 2025.
5. PLAN REFERENCES:
   A. ALTA/ASCM LAND TITLE SURVEY MADE FOR COW PLAZA 1, LLC BY NORTHEAST CIVIL SOLUTIONS, DATED NOVEMBER 30, 2009, VAULT #1018-011.
   B. PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR CITY OF PORTLAND, MAINE "SITE PLAN" BY H.I. & E.C. JORDAN, DATED MAY 22, 1979, VAULT #738-003.
   C. STREET LINE RETRACEMENT PLAN "SPRING / MIDDLE ARTERIAL" MADE BY THE CITY OF PORTLAND, DATED FEBRUARY 10, 2014, VAULT #882-037A.
   D. PLAN OF PATTON COURT MADE BY THE CITY OF PORTLAND, MAINE DEPARTMENT OF PUBLIC WORKS, DATED THROUGH JANUARY 9, 1939, VAULT #598-009.
   E. PLAN OF PROPOSED FORE STREET PARKING GARAGE SITE MADE FOR THE CITY OF PORTLAND BY OWEN HASKELL, INC. DATED NOVEMBER 5, 1979, VAULT #500-006.
   F. STREET LINE DRAWING OF EXCHANGE STREET DATED NOVEMBER 1925, VOLUME 2, PAGE 117.
   G. STREET LINE DRAWING OF FORE STREET DATED JULY 1925, VOLUME 1, PAGE 27.
   H. STREET LINE DRAWING OF UNION STREET DATED NOVEMBER 1925, VOLUME 2, PAGE 121.
   I. PLAN OF EXCHANGE STREET DATED NOVEMBER 1855, VAULT #363-003.
   J. RIGHT OF WAY PLAN OF SPRING-MIDDLE ARTERIAL MADE FOR THE CITY OF PORTLAND BY OWEN HASKELL, INC. DATED OCTOBER 18, 1977, VAULT #595-010.
   K. EXISTING CONDITIONS PLAN ON UNION STREET MADE FOR CENTRAL MAINE POWER COMPANY BY TRC, DATED THROUGH JUNE 10, 2013, VAULT #1018-011A.
   L. PLAN OF CANAL PLAZA MADE FOR CANAL NATIONAL BANK-PLAZA REALTY TRUST BY H.I. & E.C. JORDAN, DATED AUGUST 1972, RECORDED IN PLAN BOOK 109, PAGE 108.
   M. ALTA/NSPS LAND TITLE SURVEY MADE FOR COW PLAZA HOTEL LLC BY NORTHEAST CIVIL SOLUTIONS DATED DECEMBER 9, 2016.
   N. DESIGN PLANS AND DRAWINGS OF CANAL PLAZA SHOWING PROPOSED UTILITIES PROVIDED BY WOODARD AND CURRAN.
6. EASEMENT/ENCUMBRANCES:
   A. SUBJECT TO A RECIPROCAL EASEMENT AGREEMENT BETWEEN COW PLAZA 1 LLC, COW PLAZA 2 LLC, COW PLAZA 3 LLC, COW PLAZA GARAGE LLC, COW PLAZA HOTEL LLC, AND KOWTOWER LLC RECORDED IN BOOK 27481, PAGE 1 AND AMENDED IN BOOK 35559, PAGE 70.
   B. SUBJECT TO A DRAINAGE AND STORMWATER RUNOFF EASEMENT RECORDED IN BOOK 30060, PAGE 87.
   C. SUBJECT TO A DECLARATION OF RESTRICTIONS RECORDED IN BOOK 30361, PAGE 242.
   D. SUBJECT TO A PARKING AGREEMENT RECORDED IN BOOK 37636, PAGE 111.
   E. SUBJECT TO AN ELECTRICAL EASEMENT RECORDED IN BOOK 30282, PAGE 57.
   F. SUBJECT TO AN EASEMENT FOR SEWER PURPOSES OVER THE DISCONTINUED PORTION OF PLUM STREET RESERVED BY THE CITY OF PORTLAND RECORDED IN BOOK 3231, PAGE 337.
   G. SUBJECT TO ACCESS AND MAINTENANCE RIGHTS RECORDED IN BOOK 3495, PAGE 183.
   H. SUBJECT TO AND BENEFITING FROM RIGHTS AND RESERVATIONS RECORDED IN BOOK 3519, PAGE 165.
   I. SUBJECT TO AND BENEFITING FROM RIGHTS AND RESERVATIONS RECORDED IN BOOK 3344, PAGE 45.
   J. SUBJECT TO A RIGHT OF WAY TO ACCESS THE PARKING GARAGE RECORDED IN BOOK 30060. PAGE 82.
   K. SUBJECT TO AN EASEMENT AGREEMENT AND BUILDING RESTRICTIONS RECORDED IN BOOK 30438, PAGE 253.
   L. BENEFITS FROM A LICENSE AGREEMENT WITH THE CITY OF PORTLAND OVER PORTIONS OF UNION STREET AND FORE STREET RECORDED IN BOOK 30393, PAGE 133.
   M. SUBJECT TO BUILDING RESTRICTIONS RECORDED IN BOOK 2074, PAGE 269.
   N. SUBJECT TO A DECLARATION OF 10 EXCHANGE STREET CONDOMINIUM RECORDED IN BOOK 33536, PAGE 85 AS AMENDED IN BOOK 34266, PAGE 17; BOOK 34289, PAGE 325; BOOK 34493, PAGE 255; AND BOOK 37244, PAGE 295.
   O. SUBJECT TO A PARTY WALL AND RECIPROCAL EASEMENT AGREEMENT RECORDED IN BOOK 37715, PAGE 80.
7. BENCHMARKS:
   BM-1: PAINT BOX ON CONCRETE TRAFFIC SIGNAL BASE
   ELEVATION: 49.96 (CITY OF PORTLAND VERTICAL DATUM)
   BM-2: HYDRANT FLANGE BOLT FACING FORE & UNION INTERSECTION
   ELEVATION: 27.13 (CITY OF PORTLAND VERTICAL DATUM)
   BM-3: HYDRANT FLANGE BOLT FACING FACING FORE ST
   ELEVATION: 21.19 (CITY OF PORTLAND VERTICAL DATUM)
8. UTILITY NOTES:
   A. INFORMATION DEPICTED HEREON IS OF QUALITY LEVEL D PER AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE) STANDARD CI/ASCE 38-02. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION AND/OR EXCAVATION. PROMARK UTILITY LOCATING, INC. MARKED THE UNDERGROUND UTILITIES SHOWN HEREON IN MARCH OF 2025, AND WERE FIELD-LOCATED BY SEBAGO TECHNICS, INC.
   B. UTILITIES SHOWN IN BROWN ON UTILITY PLANS 1-4 ARE BASED ON PLAN REFERENCE N AND HAVE NOT BEEN FIELD VERIFIED.
   C. SEWER STUBS SHOWN ON UTILITY PLANS 1-4 ARE BASED ON CCTV REPORTS PROVIDED BY THE CITY OF PORTLAND PUBLIC WORKS DEPARTMENT.
9. THE LOCUS PROPERTY AS DEPICTED HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR PORTLAND, MAINE, CUMBERLAND COUNTY, PANEL NUMBER 23005C0692F, HAVING AN EFFECTIVE DATE OF 06/20/2024 . THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE "X", AREAS OF MINIMAL FLOODING.
10. AREAS ADJACENT TO COW PLAZA 4 LLC AND KOWTOWER LLC (INDICATED AS SHADED AREAS WITHIN THIS PLAN SET) WERE UNDER CONSTRUCTION AT THE DATE OF THIS SURVEY. SOME FEATURES MAY HAVE BEEN OBSCURED AND NOT SHOWN ON THIS PLAN SET.

OWNERS OF RECORD:

COW PLAZA 1 LLC
TAX MAP 32(I), LOTS 7, 36 AND 43
100 COMMERCIAL STREET
PORTLAND, ME 04101
BOOK 27480, PAGE 310

COW PLAZA HOTEL LLC
TAX MAP 32(I), LOT 42
100 COMMERCIAL STREET
PORTLAND, ME 04101
BOOK 29745, PAGE 82

ABATSOBE LLC
TAX MAP 32(I), LOT 22
100 COMMERCIAL STREET
PORTLAND, ME 04101
BOOK 38454, PAGE 17

COW PLAZA 2 LLC
TAX MAP 32(I), LOT 33
100 COMMERCIAL STREET
PORTLAND, ME 04101
BOOK 27480, PAGE 330

COW PLAZA GARAGE LLC
TAX MAP 32(I), LOT 41
100 COMMERCIAL STREET
PORTLAND, ME 04101
BOOK 27480, PAGE 325

FRESNELL LLC
TAX MAP 32(I), LOT 1
100 COMMERCIAL STREET
PORTLAND, ME 04101
BOOK 37832, PAGE 239

COW PLAZA 3 LLC
TAX MAP 32(I), LOT 23
100 COMMERCIAL STREET
PORTLAND, ME 04101
BOOK 27480, PAGE 335

KOWTOWER LLC
TAX MAP 32(I), LOT 40
100 COMMERCIAL STREET
PORTLAND, ME 04101
BOOK 35559, PAGE 67

10 EXCHANGE PROPERTIES, LLC
TAX MAP 32(I), LOTS 12, 13 AND 17
P.O. BOX 4894
PORTLAND, ME 04112
BOOK 18001, PAGE 336

COW PLAZA 4 LLC
TAX MAP 32(I), LOT 21
100 COMMERCIAL STREET
PORTLAND, ME 04101
BOOK 37832, PAGE 235

COW EXCHANGE LLC
TAX MAP 32(I), LOTS 8 AND 9
100 COMMERCIAL STREET
PORTLAND, ME 04101
BOOK 39725, PAGE 172

JEDIAH M. SCOTT, PLS 2660

STATE OF MAINE
JEDIAH M. SCOTT
#2660
PROFESSIONAL LAND SURVEYOR

REV.	BY	DATE:	STATUS
2	JMS	05/28/2025	ADDITIONAL UTILITY AND BOUNDARY INFORMATION
1	JMS	05/02/2025	RELEASED FOR CLIENT COMMENTS

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TECHNICS
SEBAGOTECHNICS.COM
75 John Roberts Road, Suite 4A
South Portland, ME 04106
207-200-2100
South Portland, Bridgton, and Sanford

COVER SHEET & NOTES
OF:
COW PROPERTIES
MIDDLE ST, EXCHANGE ST, FORE ST, & UNION ST.
PORTLAND, MAINE
FOR:
EAST BROWN COW MANAGEMENT, INC.
100 COMMERCIAL STREET, SUITE 300
PORTLAND, MAINE 04101

-	-
DRAWN	CNV
CHECKED	JMS
DATE	04/22/2025
SCALE	1" = 40'
PROJECT	240988

SHEET 1 OF 14

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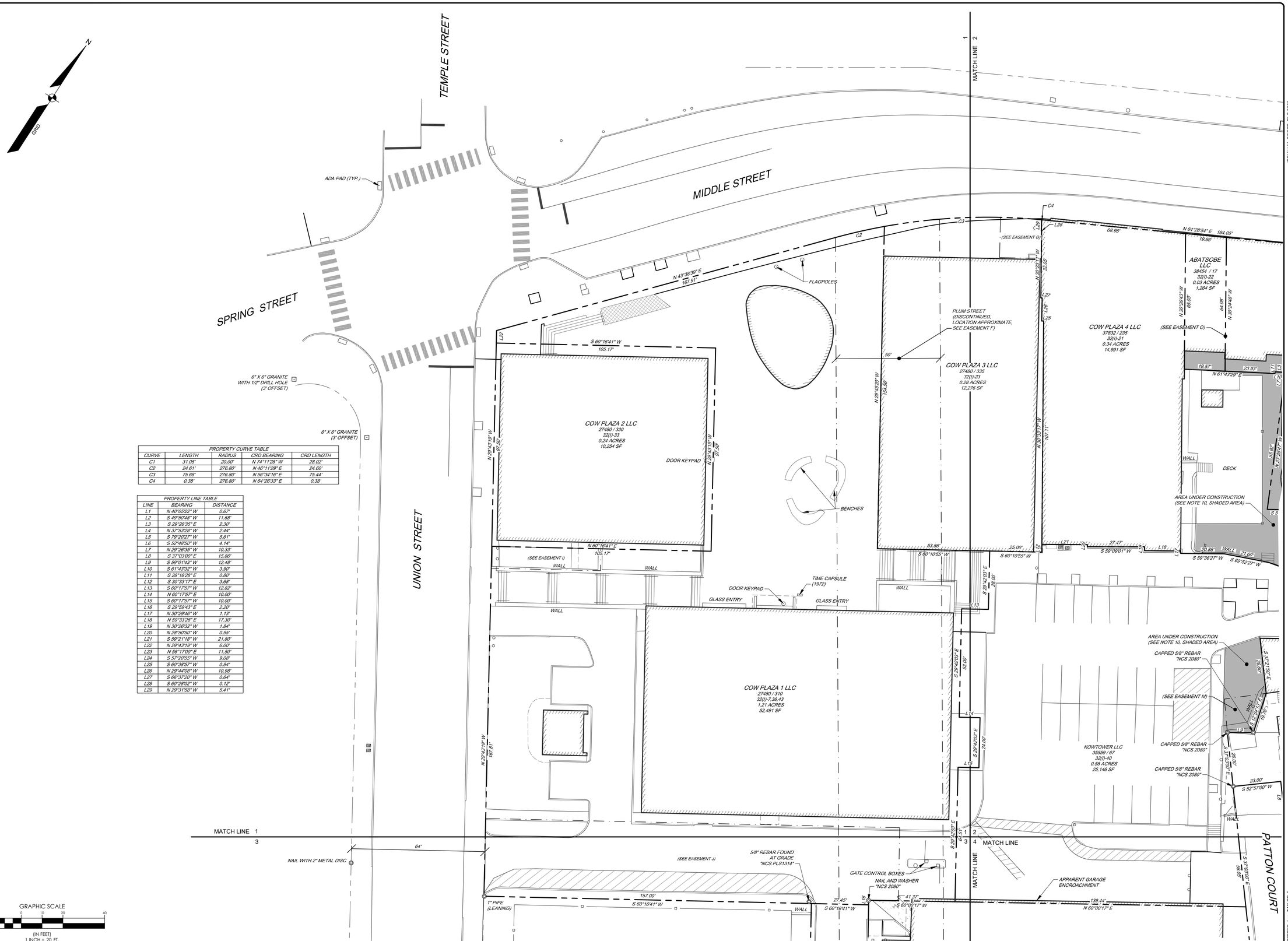
240988EC.dwg - TAB:Cover Sheet



PROPERTY CURVE TABLE				
CURVE	LENGTH	RADIUS	CRD BEARING	CRD LENGTH
C1	31.05'	20.00'	N 74°11'28" W	28.02'
C2	24.61'	276.80'	N 46°11'29" E	24.60'
C3	75.68'	276.80'	N 56°34'16" E	75.44'
C4	0.38'	276.80'	N 64°26'33" E	0.38'

PROPERTY LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 40°05'22" W	0.67'
L2	S 49°50'48" W	11.68'
L3	S 29°26'35" E	2.30'
L4	N 37°53'29" W	2.44'
L5	S 79°20'27" W	5.61'
L6	S 52°48'50" W	4.14'
L7	N 29°26'35" W	10.33'
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L9	S 59°01'43" W	12.48'
L10	S 61°43'32" W	3.90'
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L12	S 30°33'17" E	3.68'
L13	S 60°17'57" W	12.82'
L14	N 60°17'57" E	10.00'
L15	S 60°17'57" W	10.00'
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L29	N 29°31'58" W	5.41'

JEDIAH M. SCOTT, PLS 2660

STATE OF MAINE
JEDIAH M. SCOTT
#2660
PROFESSIONAL LAND SURVEYOR

REV.	BY	DATE	STATUS
2	JMS	05/28/2025	ADDITIONAL UTILITY AND BOUNDARY INFORMATION
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SEBAGO TECHNICS
SEBAGOTECHNICS.COM
75 John Roberts Road, Suite 4A
South Portland, ME 04106
207-200-2100
South Portland, Bridgton, and Sanford

BOUNDARY SURVEY - 1
OF:
COW PROPERTIES
MIDDLE ST, EXCHANGE ST, FORE ST., & UNION ST.
PORTLAND, MAINE
FOR:
EAST BROWN COW MANAGEMENT, INC.
100 COMMERCIAL STREET, SUITE 300
PORTLAND, MAINE 04101

-	-
DRAWN	CNV
CHECKED	JMS
DATE	04/22/2025
SCALE	1" = 20'
PROJECT	240988

SHEET 2 OF 14

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240988EC.dwg, TAB:BD-1

MIDDLE STREET

MATCH LINE 1 2

N 43°38'39" E 167.91'

FLAGPOLES

PLUM STREET (DISCONTINUED, LOCATION APPROXIMATE, SEE EASEMENT F)

50'

COW PLAZA 3 LLC
37480 / 335
32(I)-23
0.28 ACRES
12,276 SF

N 29°43'20" W 154.56'

DOOR KEYPAD

N 29°43'19" W 35.80'

BENCHES

C4 C3 C2 C1

L28 L27 L26 L25

(SEE EASEMENT G)

N 64°28'54" E 164.05'

68.95' 19.66' 75.44'

6" X 6" GRANITE (3' OFFSET)

6" X 6" GRANITE WITH 1/2" DRILL HOLE (3' OFFSET)

N 30°27'21" W 32.05'

N 30°26'43" W 65.03'

N 30°24'48" W 64.08'

ABATSOBE LLC
38454 / 17
32(I)-22
0.03 ACRES
1,264 SF

FRESNELL LLC
37832 / 239
32(I)-1
0.10 ACRES
4,518 SF

S 26°43'37" E 20.68'

COW PLAZA 4 LLC
37832 / 235
32(I)-21
0.34 ACRES
14,991 SF

(SEE EASEMENT O)

42.27'

S 53°07'48" W

19.57' 23.93'

N 61°43'29" E

L1 L2 L3 L10

EXCHANGE STREET

N/F
OLD PORT ARMS LLC
36468 / 120
32(I)-2

WALL

DECK

AREA UNDER CONSTRUCTION (SEE NOTE 10, SHADED AREA)

N 23°39'34" W 65.82'

17.86'

S 59°42'19" W L6

N/F
SANTANA LLC
37242 / 298
32(I)-6

N 17°46'22" W 35.53'

20.88' WALL 21.60'

S 59°36'27" W S 69°52'27" W

27.27'

S 79°20'27" W L5

N 51°24'14" E 42.91'

(SEE EASEMENT G)

S 51°24'14" E 23.34'

53.86'

S 60°10'55" W

25.00'

S 60°10'55" W

L21 L22 L23 L24 L25 L18 L17

27.47'

S 59°09'01" W

TIME CAPSULE (1972)

DOOR KEYPAD

GLASS ENTRY GLASS ENTRY

WALL

S 3°34'03" E 28.60'

L13

S 29°43'03" E 52.80'

L14

S 29°43'03" E 24.00'

L15

S 29°43'03" E 64.51'

39.63'

S 59°48'04" W

41.22'

S 51°10'47" W

AREA UNDER CONSTRUCTION (SEE NOTE 10, SHADED AREA)

CAPPED 5/8" REBAR "NCS 2080"

S 37°21'50" E 25.80'

(SEE EASEMENT M)

WALL

S 7°24'05" E 19.64'

L9

COW EXCHANGE LLC
39725 / 172
32(I)-8.9
0.16 ACRES
7,125 SF

S 37°18'47" E 28.37'

KOWTOWER LLC
35559 / 67
32(I)-40
0.58 ACRES
25,146 SF

CAPPED 5/8" REBAR "NCS 2080"

S 37°03'00" E 15.86'

DISCONTINUED PORTION OF PATTON COURT (1958 & 1981)

CAPPED 5/8" REBAR "NCS 2080"

23.00'

S 52°57'00" W

L8

CAPPED 5/8" REBAR "NCS 2080"

78.97'

S 51°57'54" W

WALL

PATTON COURT

S 37°03'00" E 56.35'

N/F
SION PALACCI
JOSEPH PALACCI
24073 / 314
32(I)-10

2 MATCH LINE 4

3 4 MATCH LINE

MATCH LINE

(SEE EASEMENT J)

5/8" REBAR FOUND AT GRADE "NCS PLS1314"

GATE CONTROL BOXES

NAIL AND WASHER "NCS 2080"

APPARENT GARAGE ENCROACHMENT

27.45'

S 60°16'41" W

WALL

L16

41.37'

S 60°00'17" W

139.44'

N 60°00'17" E

COW PLAZA 1 LLC
27480 / 310
32(I)-7,36,43
1.21 ACRES
52,491 SF

N/F
30 EXCHANGE STREET LLC
39483 / 200
32(I)-11

6" X 6" GRANITE WITH 1/4" DRILL HOLE (3' OFFSET, UNDER LID)

MILK STREET

GRID

N

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 INCH = 20 FT.

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JEDIAH M. SCOTT, PLS 2660

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SCALE	1" = 20'
PROJECT	240988

SHEET 3 OF 14

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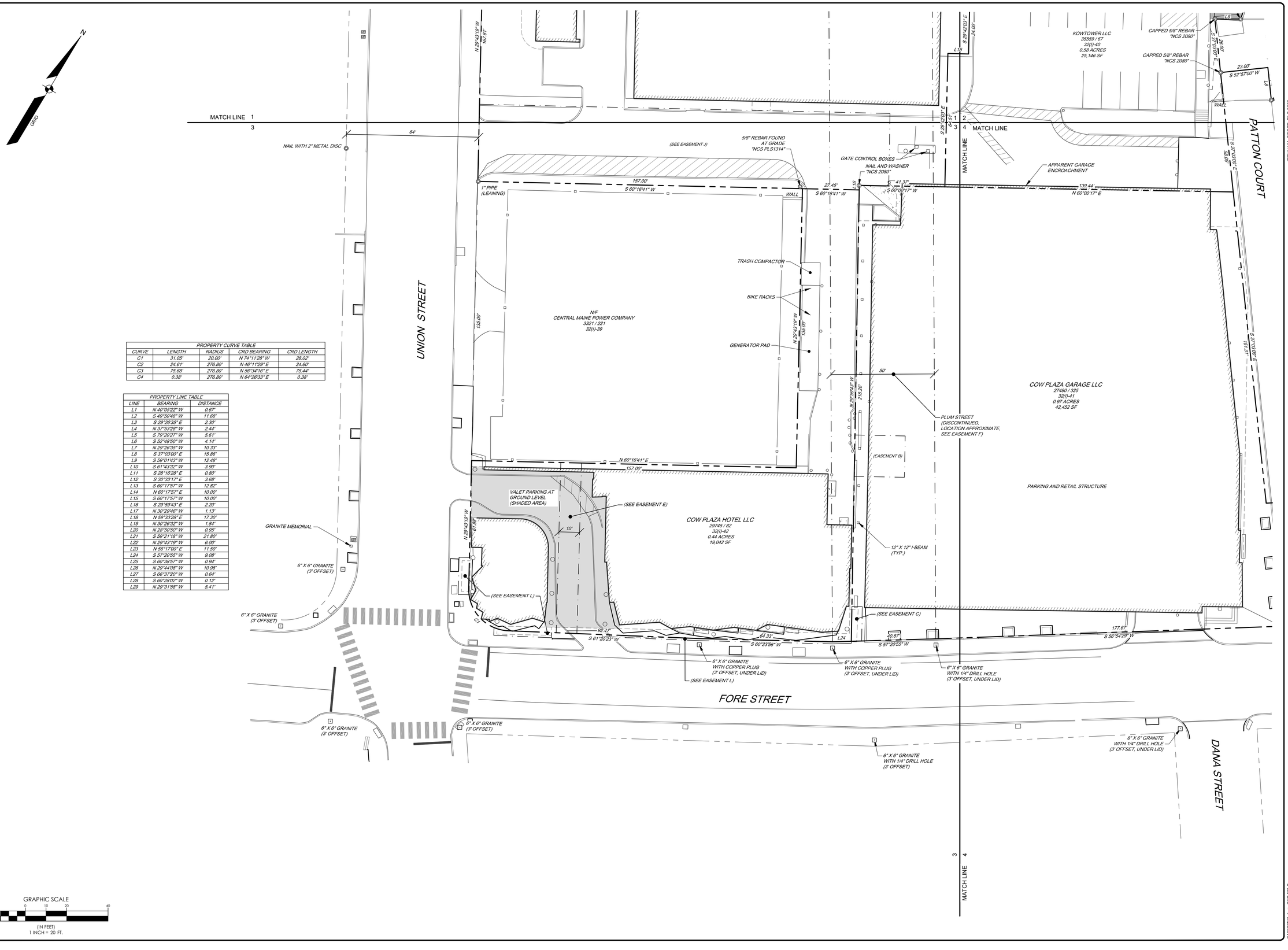

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(IN FEET)
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JEDIAH M. SCOTT, PLS 2660

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BOUNDARY SURVEY - 3
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PORTLAND, MAINE
FOR:
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100 COMMERCIAL STREET, SUITE 300
PORTLAND, MAINE 04101

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CHECKED	JMS
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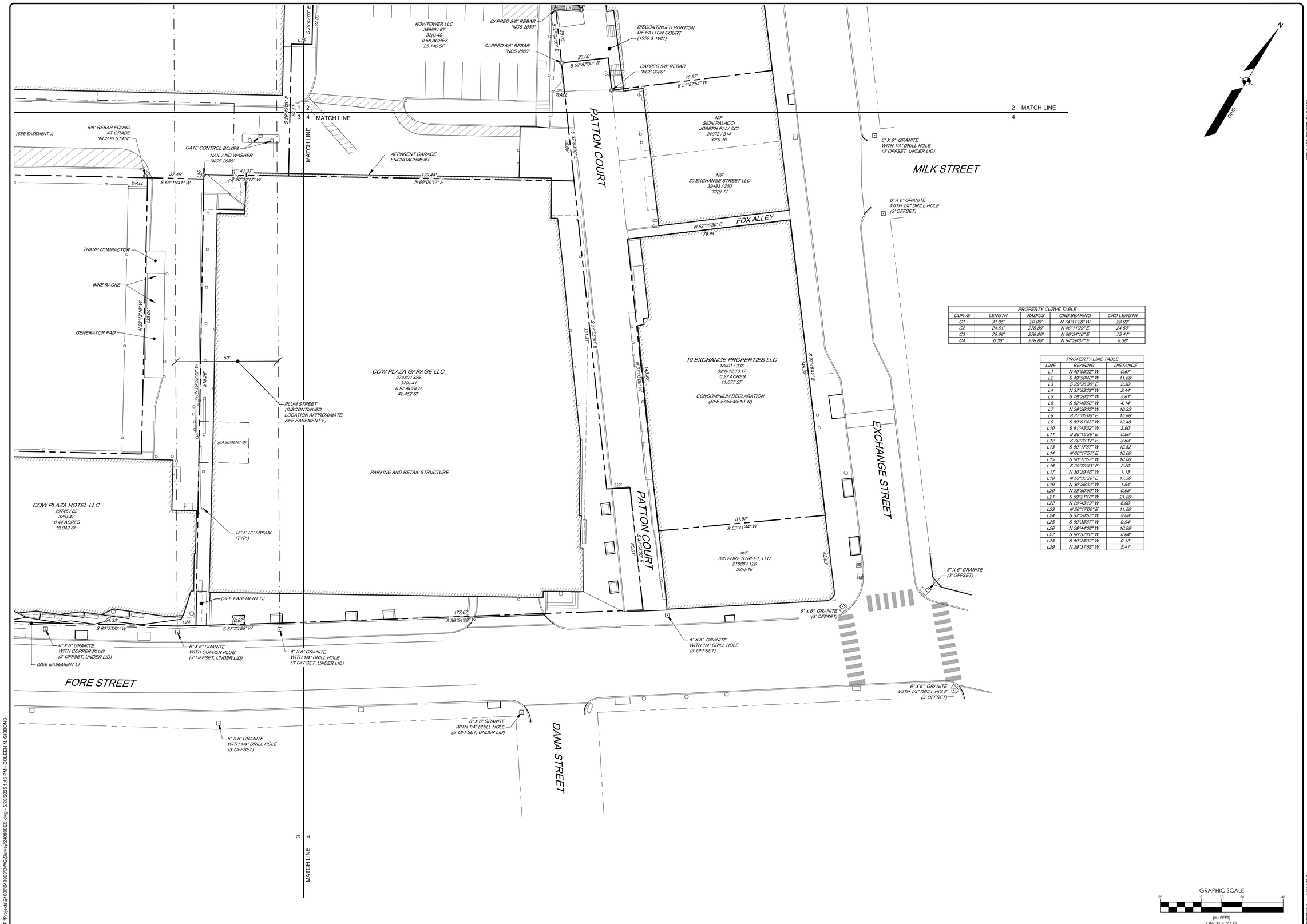
SCALE	1" = 20'
PROJECT	240988

240988EC.dwg, TAB:BD-3

SHEET 4 OF 14



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BOUNDARY SURVEY - 4

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SHEET 5 OF 14

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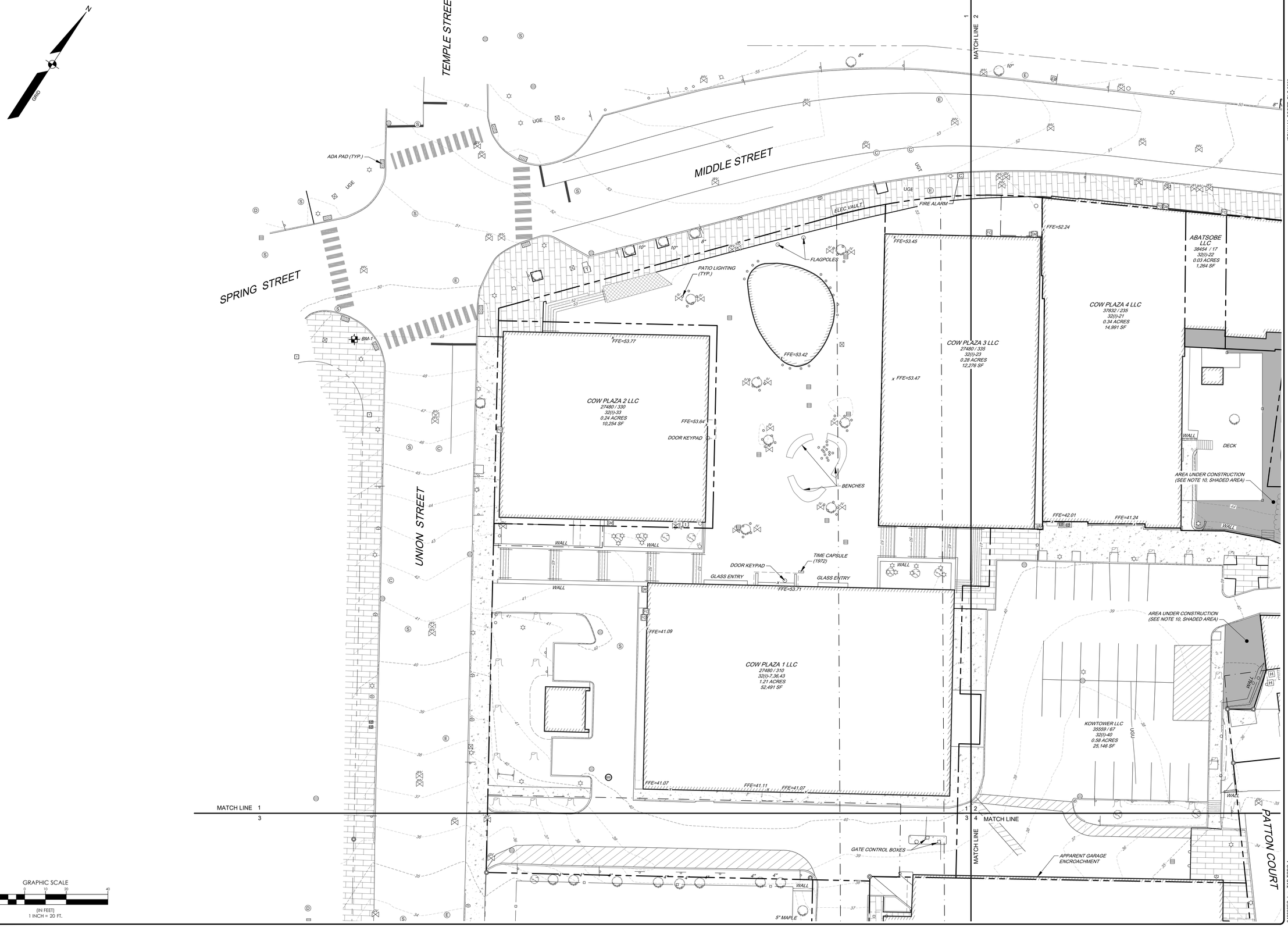

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TOPOGRAPHY PLAN - 1

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SHEET 6 OF 14

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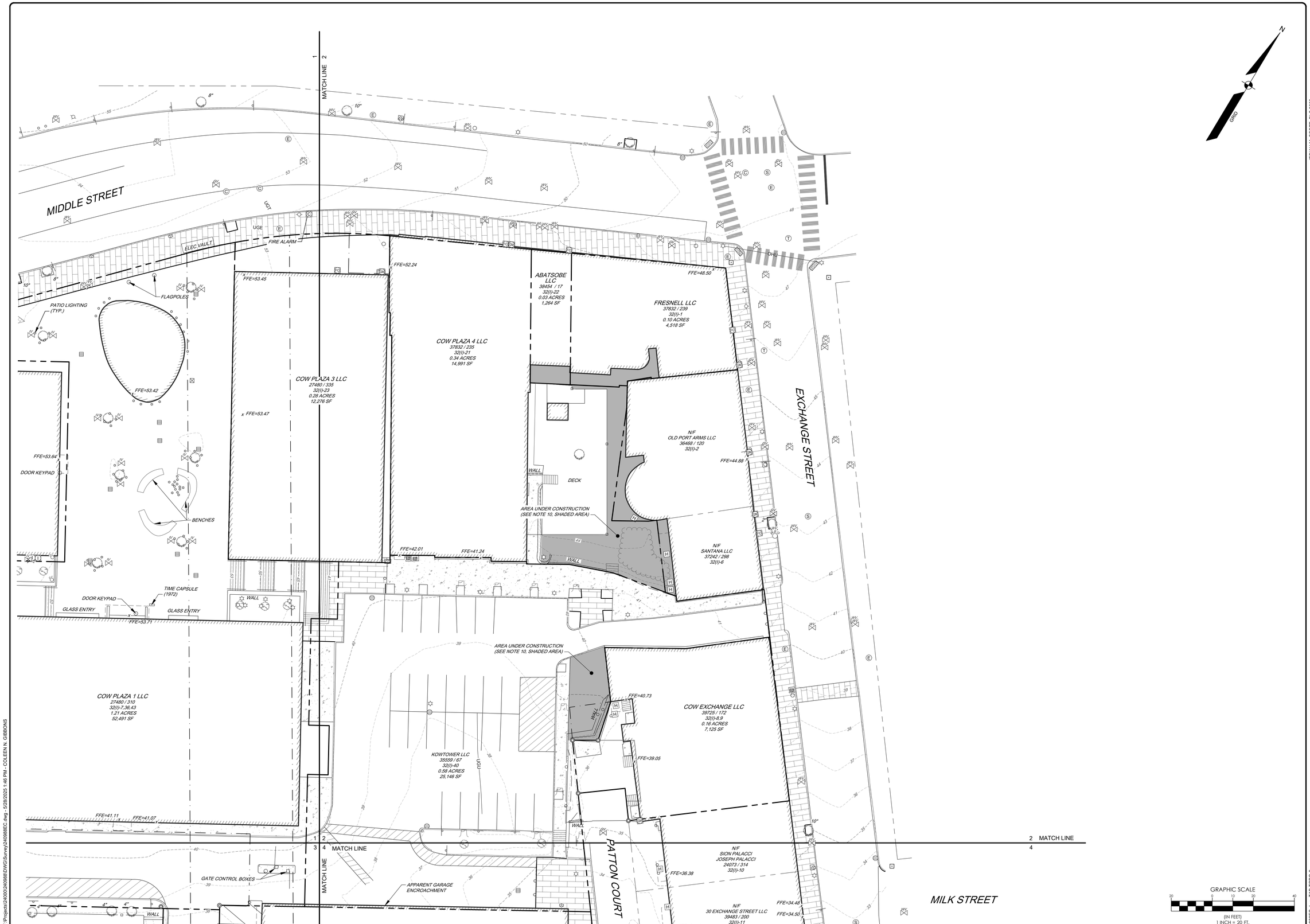

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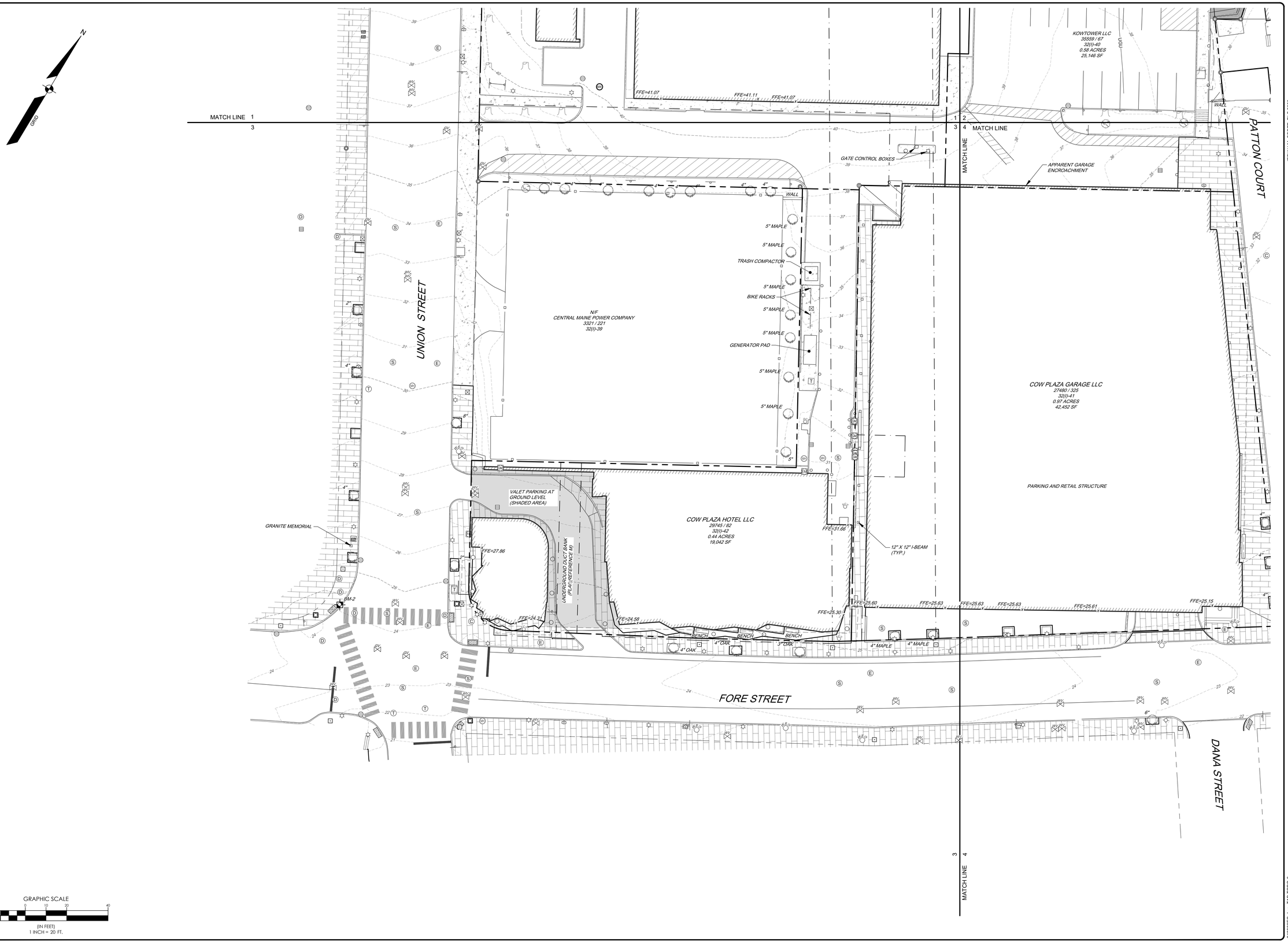
240988EC.dwg, TAB:TOPO-2

SHEET 7 OF 14



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FOR:
EAST BROWN COW MANAGEMENT, INC.
100 COMMERCIAL STREET, SUITE 300
PORTLAND, MAINE 04101

-	-
DRAWN	CNV
CHECKED	JMS
DATE	04/22/2025
SCALE	1" = 20'
PROJECT	240988

240988EC.dwg - TAB:TOPO-3

SHEET 8 OF 14

KOWTOWER LLC
35559 / 67
32(I)-40
0.58 ACRES
25,146 SF

COW PLAZA GARAGE LLC
27480 / 325
32(I)-41
0.97 ACRES
42,452 SF

PARKING AND RETAIL STRUCTURE

COW PLAZA HOTEL LLC
29745 / 82
32(I)-42
0.44 ACRES
19,042 SF

N/F
SION PALACCI
JOSEPH PALACCI
24073 / 314
32(I)-10

N/F
30 EXCHANGE STREET LLC
39483 / 200
32(I)-11

10 EXCHANGE PROPERTIES LLC
18001 / 336
32(I)-12,13,17
0.27 ACRES
11,677 SF

N/F
395 FORE STREET, LLC
21888 / 126
32(I)-18

PATTON COURT

FOX ALLEY

MILK STREET

EXCHANGE STREET

FORE STREET

DANA STREET

MATCH LINE

GATE CONTROL BOXES

APPARENT GARAGE ENCROACHMENT

TRASH COMPACTOR

BIKE RACKS

GENERATOR PAD

12" X 12" I-BEAM (TYP.)

ELECTRICAL VAULT

BENCH

BM-3

FFE=41.11
FFE=41.07
FFE=39.05
FFE=36.38
FFE=34.48
FFE=34.50
FFE=34.41
FFE=30.59
FFE=29.44
FFE=28.40
FFE=27.14
FFE=27.13
FFE=25.84
FFE=24.88
FFE=31.68
FFE=25.60
FFE=25.30
FFE=25.63
FFE=25.63
FFE=25.63
FFE=25.61
FFE=25.15

GRAPHIC SCALE
20 0 10 20 40
(IN FEET)
1 INCH = 20 FT.

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240988EC.dwg, TAB:TOPO-4

JEDIAH M. SCOTT, PLS 2660

STATE OF MAINE
JEDIAH M. SCOTT
#2660
PROFESSIONAL LAND SURVEYOR

REV.	BY	DATE	STATUS
2	JMS	05/28/2025	ADDITIONAL UTILITY AND BOUNDARY INFORMATION
1	JMS	05/02/2025	RELEASED FOR CLIENT COMMENTS

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS, AS PROVIDED BY OTHERS, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.

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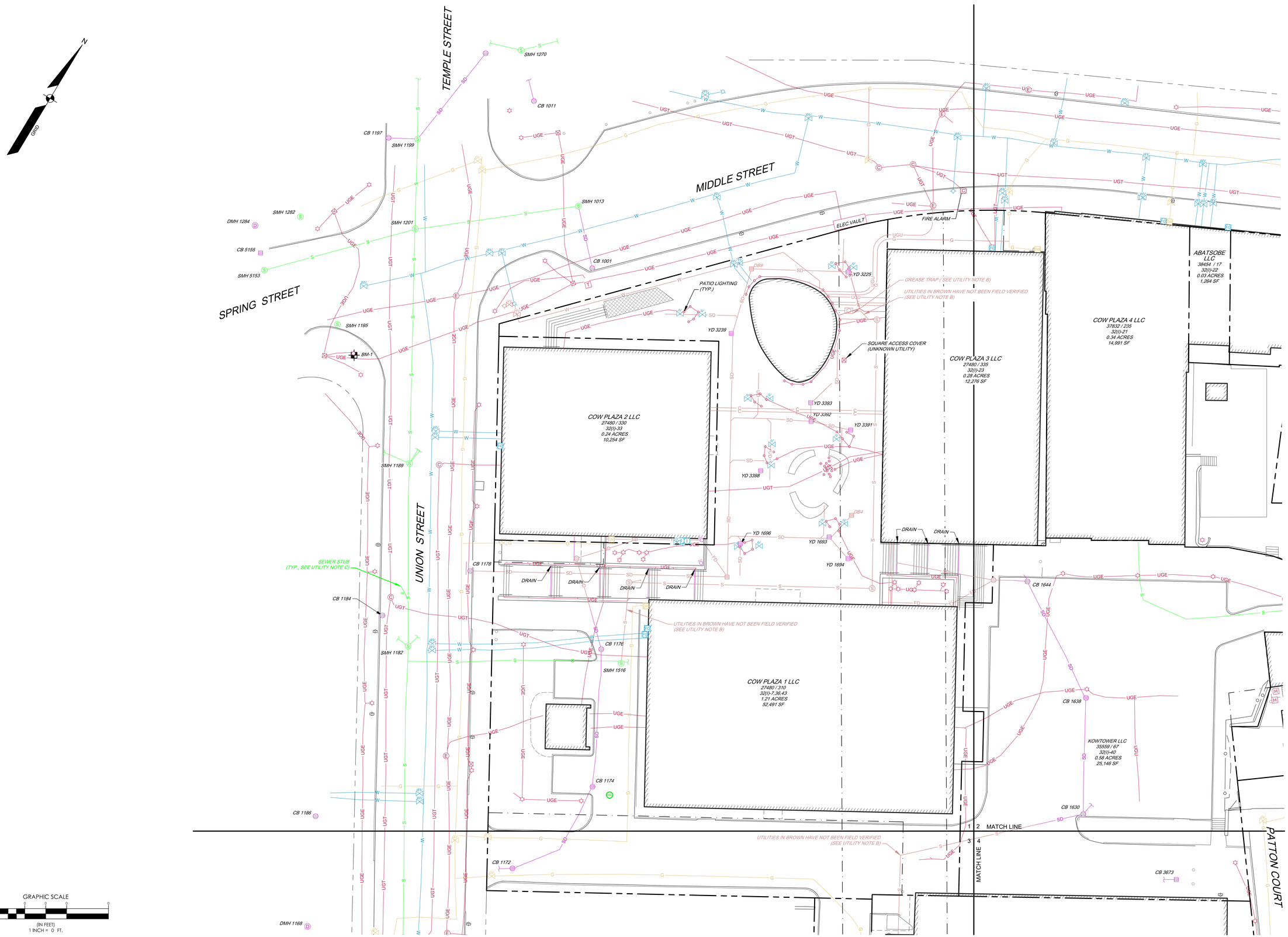
75 John Roberts Road, Suite 4A
South Portland, ME 04106
207-200-2100
South Portland, Bridgton, and Sanford

TOPOGRAPHY PLAN - 4
OF:
COW PROPERTIES
MIDDLE ST, EXCHANGE ST, FORE ST, & UNION ST.
PORTLAND, MAINE
FOR:
EAST BROWN COW MANAGEMENT, INC.
100 COMMERCIAL STREET, SUITE 300
PORTLAND, MAINE 04101

-	-
DRAWN	CNV
CHECKED	JMS
DATE	04/22/2025
SCALE	1" = 20'
PROJECT	240988

SHEET 9 OF 14



GRAPHIC SCALE
(IN FEET)
1 INCH = 0 FT.

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JEDIAH M. SCOTT, PLS 2660

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207-200-2100
South Portland, Bridgton, and Sanford

UTILITY PLAN - 1
OF:
CANAL PLAZA
UNION, FORE, MIDDLE, EXCHANGE STREETS
FOR:
EAST BROWN COW
100 COMMERCIAL ST, SUITE 300
PORTLAND, ME 04101

-	-
DRAWN	CNV
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DATE	04/22/2025
SCALE	1" = 20'
PROJECT	240988

SHEET10 OF 14

240988EC.dwg, TAB:UT-1

MIDDLE STREET

EXCHANGE STREET

PATTON COURT

MILK STREET

MATCH LINE

1 2 MATCH LINE
3 4

ELEC VAULT

FIRE ALARM

PATIO LIGHTING (TYP.)

SQUARE ACCESS COVER (UNKNOWN UTILITY)

GREASE TRAP (SEE UTILITY NOTE B)

UTILITIES IN BROWN HAVE NOT BEEN FIELD VERIFIED (SEE UTILITY NOTE B)

SEWER STUB (TYP., SEE UTILITY NOTE C)

DRAIN

YD 3225

YD 3239

YD 3393

YD 3392

YD 3391

YD 3398

YD 1696

YD 1693

YD 1694

CB 1644

CB 1638

CB 1630

CB 3673

CB 1025

CB 1017

CB 1019 (SEALED)

CB 1041

SMH 1027

SMH 1033

SMH 1049

MH 1051

COW PLAZA 1 LLC
27480 / 310
32(I)-7,36,43
1.21 ACRES
52,491 SF

COW PLAZA 3 LLC
27480 / 335
32(I)-23
0.28 ACRES
12,276 SF

COW PLAZA 4 LLC
37832 / 235
32(I)-21
0.34 ACRES
14,991 SF

ABATSOBE LLC
38454 / 17
32(I)-22
0.03 ACRES
1,264 SF

FRESNELL LLC
37832 / 239
32(I)-1
0.10 ACRES
4,518 SF

N/F
OLD PORT ARMS LLC
39468 / 120
32(I)-2

N/F
SANTANA LLC
37242 / 298
32(I)-6

KOWTOWER LLC
35559 / 87
32(I)-40
0.58 ACRES
25,146 SF

COW EXCHANGE LLC
39725 / 172
32(I)-8,9
0.16 ACRES
7,125 SF

N/F
SION PALACCI
JOSEPH PALACCI
24073 / 314
32(I)-10

N/F
30 EXCHANGE STREET LLC
39483 / 200
32(I)-11

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207-200-2100
South Portland, Bridgton, and Sanford

UTILITY PLAN - 2
OF:
CANAL PLAZA
UNION, FORE, MIDDLE, EXCHANGE STREETS
FOR:
EAST BROWN COW
100 COMMERCIAL ST, SUITE 300
PORTLAND, ME 04101

-	-
DRAWN	CNV
CHECKED	JMS
DATE	04/22/2025
SCALE	1" = 20'
PROJECT	240988

SHEET 11 OF 14

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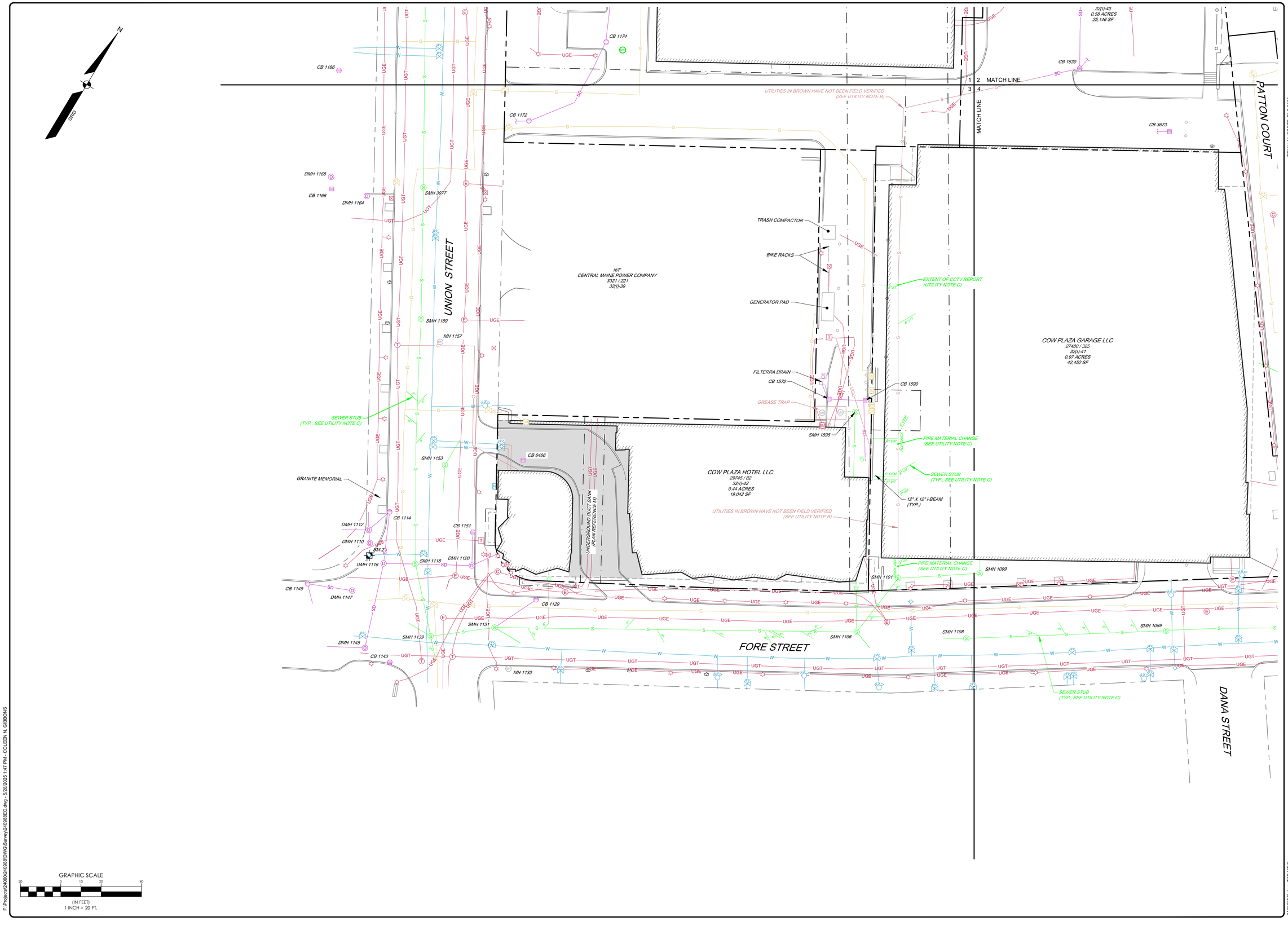
240988EC.dwg, TAB:UT-2



JEDIAH M. SCOTT, PLS 2660

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JEDIAH M. SCOTT #2660
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UTILITY PLAN - 3

OF:
CANAL PLAZA
UNION, FORE, MIDDLE, EXCHANGE STREETS

FOR:
EAST BROWN COW
100 COMMERCIAL ST, SUITE 300
PORTLAND, ME 04101

-	-
DRAWN	CNV
CHECKED	JMS
DATE	04/22/2025
SCALE	1" = 20'
PROJECT	240988

SHEET 12 OF 14

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240988EC-.dwg, TAB:UT-3



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JEDIAH M. SCOTT, PLS 2660

STATE OF MAINE
JEDIAH M. SCOTT
#2660
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SEBAGO TECHNICS

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South Portland, ME 04106
207-200-2100
South Portland, Bridgton, and Sanford

UTILITY PLAN - 4
OF:
CANAL PLAZA
UNION, FORE, MIDDLE, EXCHANGE STREETS

FOR:
EAST BROWN COW
100 COMMERCIAL ST, SUITE 300
PORTLAND, ME 04101

-	-
DRAWN	CNV
CHECKED	JMS
DATE	04/22/2025
SCALE	1" = 20'
PROJECT	240988

240988EC.dwg, TAB:UT-4

SHEET 13 OF 14

POINT #	STRUCTURE TYPE	RIM EL.	INV.	INV. EL.	SIZE	TYPE	LOCATION (N=12)	COMMENTS
1001	CBR	51.11	OUT	47.07	12"	UNKNOWN	11	
1011	CBR	54.16	IN	49.61	UNKNOWN	CACSO TRAP	11	TOP OF CASCO TRAP
			SUMP	48.16				
1013	SMH	52.70	IN	46.12	12"	UNKNOWN	4	
			OUT	46.91	UNKNOWN	CASCO TRAP	8	TOP OF CASCO TRAP
			SUMP	43.50				
1017	CBR	48.40	OUT	45.75	6"	PVC	1	TOP OF ELBOW
			SUMP	42.90				
1025	CBR	47.82	OUT	44.92	UNKNOWN	CASCO TRAP	6	TOP OF CASCO TRAP
			SUMP	41.42				
1027	SMH	48.30	IN	34.85	24"	VIT CLAY	10	UP EXCHANGE
			OUT	34.71	24"	VIT CLAY	4	
			SHELF	36.05				
1033	SMH	43.37	IN	29.82	24"	VIT CLAY	10	
			OUT	29.77	24"	VIT CLAY	4	
			SHELF	31.02				
1041	CBR	33.65	OUT	28.01	UNKNOWN	CASCO TRAP	6	TOP OF CASCO TRAP
			SUMP	25.80				
1049	SMH	32.92	IN	19.67	24"	VIT CLAY	10	
			OUT	19.64	24"	VIT CLAY	4	
			SHELF	20.67				
1061	CBR	20.59	OUT	18.81	UNKNOWN	CASCO TRAP	1	TOP CASCO TRAP
			SUMP	15.89				
1063	SMH	21.32	IN	14.07	24"	VIT CLAY	10	
			IN	17.73	12"	UNKNOWN	8	
			OUT	13.93	24"	VIT CLAY	4	
			SHELF	15.12				
1065	CBR	20.33	OUT	17.14	UNKNOWN	CASCO TRAP	7	TOP OF CASCO TRAP
			SUMP	12.63				
1071	CBR	17.35	OUT	14.73	UNKNOWN	CASCO TRAP	1	TOP OF CASCO TRAP
			SUMP	10.15				
1079	SMH	19.03	IN	11.00	24"	VIT CLAY	9	
			IN	11.01	8"	PVC	8	
			OUT	10.61	24"	VIT CLAY	3	
			SHELF	11.77				
1083	CBR	20.71	OUT	16.48	8"	UNKNOWN	3	
			SUMP	13.11				
1085	SMH	22.35	IN	12.23	10"	PVC	8	
			IN	13.07	8"	PVC	11	
			OUT	12.23	10"	PVC	2	
			SHELF	12.76				
1089	SMH	23.58	IN	12.94	10"	PVC	8	
			OUT	12.93	10"	PVC	2	
			SHELF	13.63				
1093	SMH	28.35	IN	21.23	8"	PVC	11	
			IN	22.95	6"	PVC	9	
			OUT	21.11	8"	PVC	5	
			SHELF	21.60				
1099	SMH	25.46	IN	18.48	12"	METAL	11	
			OUT	18.93	UNKNOWN	UNKNOWN	8	TOP OF PIPE, OBSTRUCTED
			SUMP	15.01				
1101	SMH	25.49	IN	15.28	15	BRICK	11	
			IN	18.36	12"	METAL	2	
			OUT	14.80	12"	VIT CLAY	5	
			SHELF	16.39				
1106	SMH	24.62	IN	14.34	12"	VIT CLAY	12	
			IN	14.70	12"	UNKNOWN	4	
			IN	18.07	8"	PVC	11	
			OUT	14.44	15"	VIT CLAY	8	
			SHELF	15.32				
1108	SMH	24.54	OUT	13.49	10"	PVC	8	
			IN	13.44	10"	PVC	2	
			SHELF	14.34				
1112	DMH	25.65	IN	20.35	10"	PVC	9	
			IN	20.45	15"	PVC	11	
			IN	20.95	12"	PVC	12	
			OUT	20.45	15"	PVC	4	
			SUMP	20.35				HEAVY SEDIMENT

POINT #	STRUCTURE TYPE	RIM EL.	INV.	INV. EL.	SIZE	TYPE	LOCATION (N=12)	COMMENTS
1114	CBR	25.26	OUT	21.07	12"	PVC	7	
			IN	20.20	10"	PVC	5	CAPPED
			SUMP	21.16				HEAVY SEDIMENT
1116	DMH	24.09	IN	19.70	15"	PVC	10	
			IN	20.70	10"	PVC	12	
			IN	18.92	12	UNKNOWN	2	CAPPED
			OUT	18.89	15"	PVC	4	
			SUMP	18.44				
1118	SMH	24.29	IN	15.19	18"	ASBESTOS	10	
			IN	19.53	12"	UNKNOWN	2	
			IN	17.68	12"	UNKNOWN	8	
			OUT	15.07	18"	ASBESTOS	4	
			SHELF	16.39				
1120	DMH	24.22	IN	20.02	12"	CONCRETE	2	
			IN	20.72	10"	PVC	10	
			OUT	21.12	UNKNOWN	CASCO TRAP	9	TOP OF CASCO TRAP
			SUMP	17.22				HEAVY SEDIMENT
1129	CBR	23.19	OUT	19.91	UNKNOWN	CASCO TRAP	7	
			SUMP	17.14				HEAVY SEDIMENT
1131	SMH	23.20	IN	11.64	15"	VIT CLAY	2	
			IN	17.41	8"	PVC	12	
			OUT	11.63	15"	UNKNOWN	8	
			SHELF	12.76				
			IN	15.52	8"	PVC	4	
1139	SMH	22.83	IN	11.52	15"	VIT CLAY	2	
			IN	13.30	18"	VIT CLAY	8	STACKED ABOVE OTHER 8 OCLOCK
			IN	10.75	18"	VIT CLAY	8	
			IN	10.61	18"	VIT CLAY	10	
			IN	13.31	18"	UNKNOWN	10	STACKED
			OUT	10.57	24"	UNKNOWN	4	
			SHELF	12.27				
1143	CBR	21.79	IN	17.19	8"	UNKNOWN	10	
			OUT	17.09	12"	PVC	9	
			SUMP	13.19				HEAVY SEDIMENT
1145	DMH	22.65	IN	15.35	12"	PVC	3	
			IN	15.32	15"	PVC	11	
			OUT	15.21	15"	PVC	8	
			SHELF	16.05				
1147	MH	23.93	OUT	20.74	10"	PVC	8	CAPPED
			SUMP	---------				FULL OF SEDIMENT
1149	CBR	23.76	IN	20.36	10"	PVC	2	CAPPED
			OUT	20.02	12"	PVC	4	PERP. TO SEWER
			SUMP	19.36				HEAVY SED. APROX.
1151	CBR	24.79	OUT	21.50	10"	PVC	4	
			SUMP	21.49				HEAVY SEDIMENT
1153	SMH	27.06	IN	22.41	10"	PVC	2	
			OUT	21.30	10"	PVC	6	
			SHELF	21.86				
1159	SMH	30.54	IN	22.76	18"	ASBESTOS	10	STACKED
			IN	20.82	18"	UNKNOWN	10	
			OUT	20.44	18"	ASBESTOS	4	
			SHELF	21.34				
1164	DMH	34.39	IN	28.21	12"	PVC	8	
			OUT	27.63	15"	PVC	4	
			SHELF	28.69				
1166	CB	34.93	IN	29.91	6"	PVC	8	
			IN	28.60	12"	PVC	11	
			OUT	28.53	12"	PVC	2	
			SUMP	25.43				HEAVY SEDIMENT
1168	DMH	35.44	IN	29.09	12"	PVC	8	
			IN	29.04	12"	PVC	11	
			IN	27.17	12"	PVC	2	CAPPED
			OUT	28.85	12"	PVC	4	
			SUMP	24.94				HEAVY SEDIMENT
1172	CBR	35.57	IN	30.17	12"	PVC	2	
			OUT	29.78	12"	UNKNOWN	9	
			SUMP	28.97				HEAVY SEDIMENT
1174	CBR	40.10	IN	33.70	12"	UNK	11	
			OUT	33.60	12"	PVC	5	
			SUMP	32.10				

POINT #	STRUCTURE TYPE	RIM EL.	INV.	INV. EL.	SIZE	TYPE	LOCATION (N=12)	COMMENTS
1176	CBR	39.70	IN	34.82	8"	UNKNOWN	10	
			OUT	34.68	12"	UNKNOWN	5	
			SUMP	33.30				
1182	SMH	40.69	IN	28.83	18"	ASBESTOS	10	
			IN	34.67	12"	UNKNOWN	9	
			OUT	28.96	18"	ASBESTOS	4	
			SHELF	29.69				
1186	CBR	38.32	IN	31.03	6"	PVC	1	
			OUT	32.02	12"	PVC	5	
			SUMP	29.07				
1189	SMH	45.76	IN	32.17	18"	ASBESTOS	10	
			IN	32.51	6"	UNKNOWN	2	
			IN	32.22	8"	UNKNOWN	2	
			IN	40.06	8"	UNKNOWN	2	
			IN	40.69	6"	UNKNOWN	9	
			OUT	32.04	18"	ASBESTOS	4	
			SHELF	33.56				
1197	CBR	51.66	OUT	47.33	UNKNOWN	CASCO TRAP	2	TOP OF CASCO TRAP
			SUMP	45.96				HEAVY SEDIMENT
1199	SMH	52.05	IN	43.12	18"	ASBESTOS	10	
			IN	46.69	12"	UNKNOWN	12	
			IN	45.72	12"	UNKNOWN	8	
			OUT	42.95	18"	ASBESTOS	4	
			SHELF	44.22				
1201	SMH	50.90	IN	39.00	12"	UNKNOWN	2	
			IN	39.22	12"	UNKNOWN	8	
			OUT	38.33	18"	ASBESTOS	4	
			SHELF	39.71				
1270	SMH	54.94	IN	46.55	18"	UNKNOWN	8	
			OUT	46.33	18"	UNKNOWN	2	
			SHELF	47.34				
1272	CBR	54.03	OUT	50.12	UNKNOWN	CASCO TRAP	6	TOP OF CASCO TRAP
			SUMP	46.53				HEAVY SEDIMENT
1516	SMH	40.46	IN	31.05	10"	UNKNOWN	11	
			IN	31.10	10"	UNKNOWN	2	
			OUT	31.00	12"	UNKNOWN	8	
			SHELF	32.16				
1572	CB	30.94	IN	27.76	4"	PVC	10	
			OUT	26.94	8"	PVC	3	
			SUMP	23.94				
1595	SMH - GREASE TRAP	30.98	IN	20.45	4"	PVC	9	
			OUT	20.46	4"	PVC	5	
			SHELF	21.23				
1630	CBR	36.99	IN	31.98	12"	PVC	11	
			IN	31.72	10"	HDPE	12	
			OUT	31.55	12"	PVC	8	
			SUMP	29.99				
1638	CBR	38.06	IN	32.75	12"	PVC	10	
			OUT	32.69	12"	PVC	5	
			SUMP	31.91				HEAVY SEDIMENT
1644	CBR	39.92	IN	34.22	8"	PVC	10	
			IN	35.62	12"	PVC	8	
			IN	35.73	3"	PVC	9	
			OUT	34.16	12"	PVC	4	
			SUMP	34.42				HEAVY SEDIMENT
3673	CB	34.26	OUT	32.21	10"	HDPE	7	
			SUMP	31.26				HEAVY SEDIMENT
3977	SMH	33.84	IN	24.46	18"	ASBESTOS	10	
			IN	25.05	12"	PVC	8	
			OUT	24.53	18"	ASBESTOS	4	
			SHELF	25.34				
6466	CB	27.43	IN	22.78	8	PVC	6	
			OUT	23.67	UNKNOWN	CASCO TRAP	9	TOP OF CASCO TAP
			SUMP	19.83				

JEDIAH M. SCOTT, PLS 2660

STATE OF MAINE
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STRUCTURE TABLE
OF:
CANAL PLAZA
UNION, FORE, MIDDLE, EXCHANGE STREETS
FOR:
EAST BROWN COW
100 COMMERCIAL ST, SUITE 300
PORTLAND, ME 04101

-	-
DRAWN	CNV
CHECKED	JMS
DATE	04/22/2025
SCALE	-
PROJECT	240988

SHEET 14 OF 14

240988EC-dwg_TAB STRUCTURE TABLE

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45 Union Street

45 Union Street, Portland, Maine

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STATE OF MAINE
CAITLIN G. SUHR
No. 17568
LICENSED PROFESSIONAL ENGINEER

KEY PLAN

NOTES

NOT FOR CONSTRUCTION

PROJECT NUMBER	DRAWN BY
1083.00	BCM
DATE	CHECKED BY
AUGUST 2025	CS

PHASE
ISSUED FOR SITE PLAN APPROVAL

SCALE
1"=20'

DRAWING TITLE
EXISTING CONDITIONS

SHEET NUMBER
C-001

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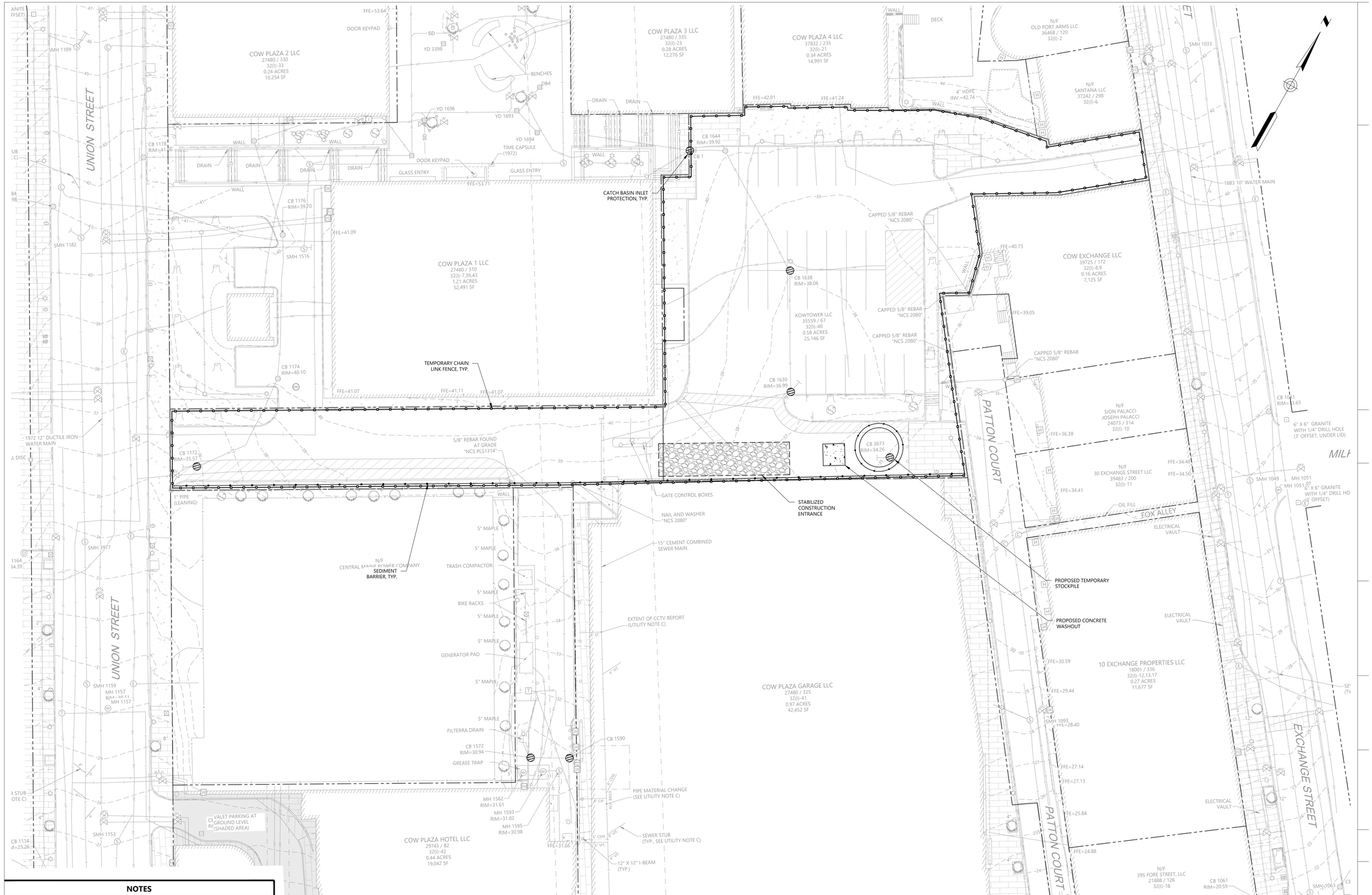

NOTES

1. REFER TO SHEET C-400 FOR EROSION CONTROL NOTES AND DETAILS.

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AUGUST 2025	CS

PHASE
ISSUED FOR SITE PLAN APPROVAL

SCALE
1"=20'

DRAWING TITLE
EROSION & SEDIMENTATION CONTROL PLAN

SHEET NUMBER
C-002

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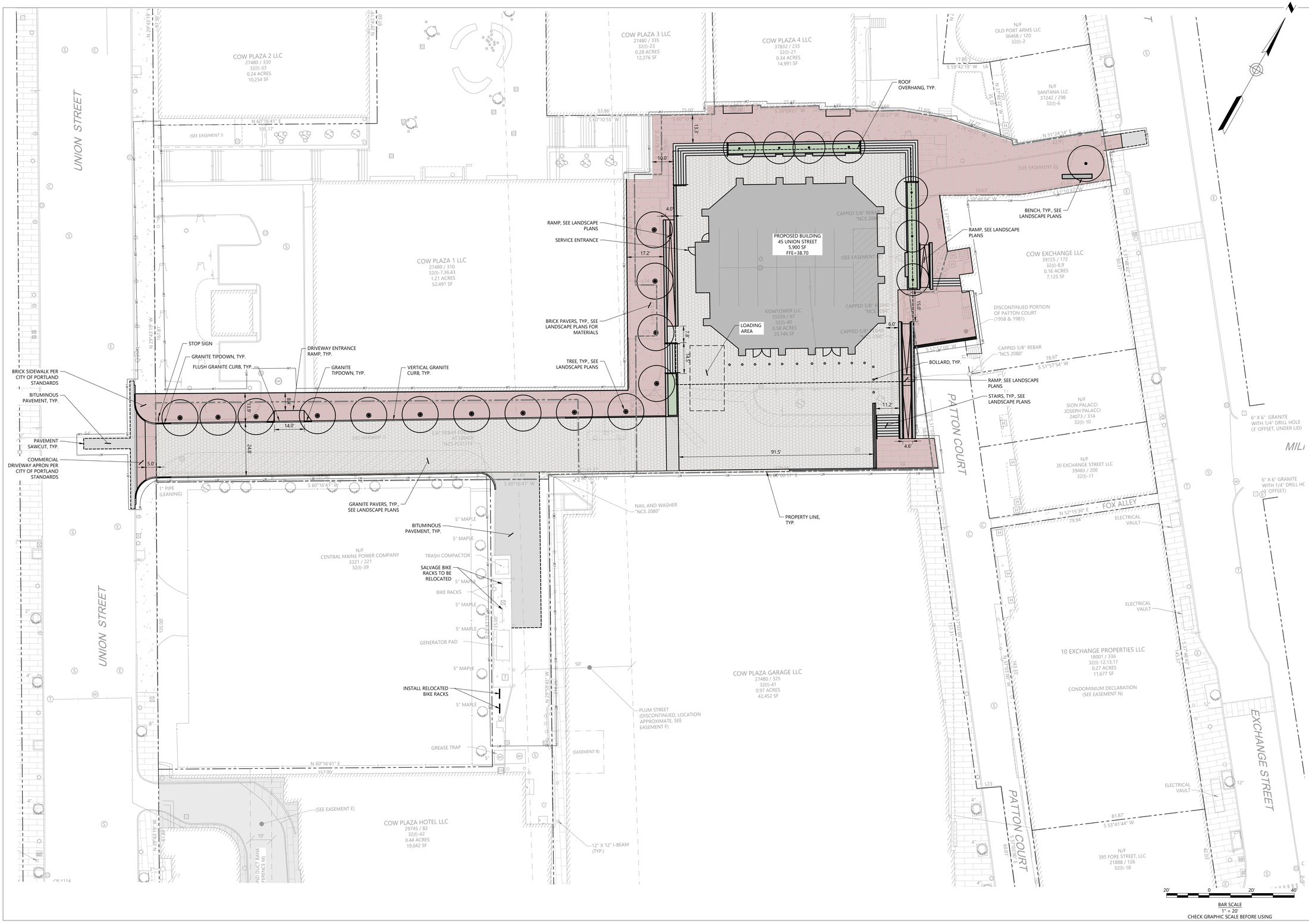

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ISSUE

NO.	DESCRIPTION	DATE

KEY PLAN



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AUGUST 2025	CS

PHASE

ISSUED FOR SITE PLAN APPROVAL

SCALE

1" = 20'

DRAWING TITLE

SITE LAYOUT PLAN

SHEET NUMBER

C-100

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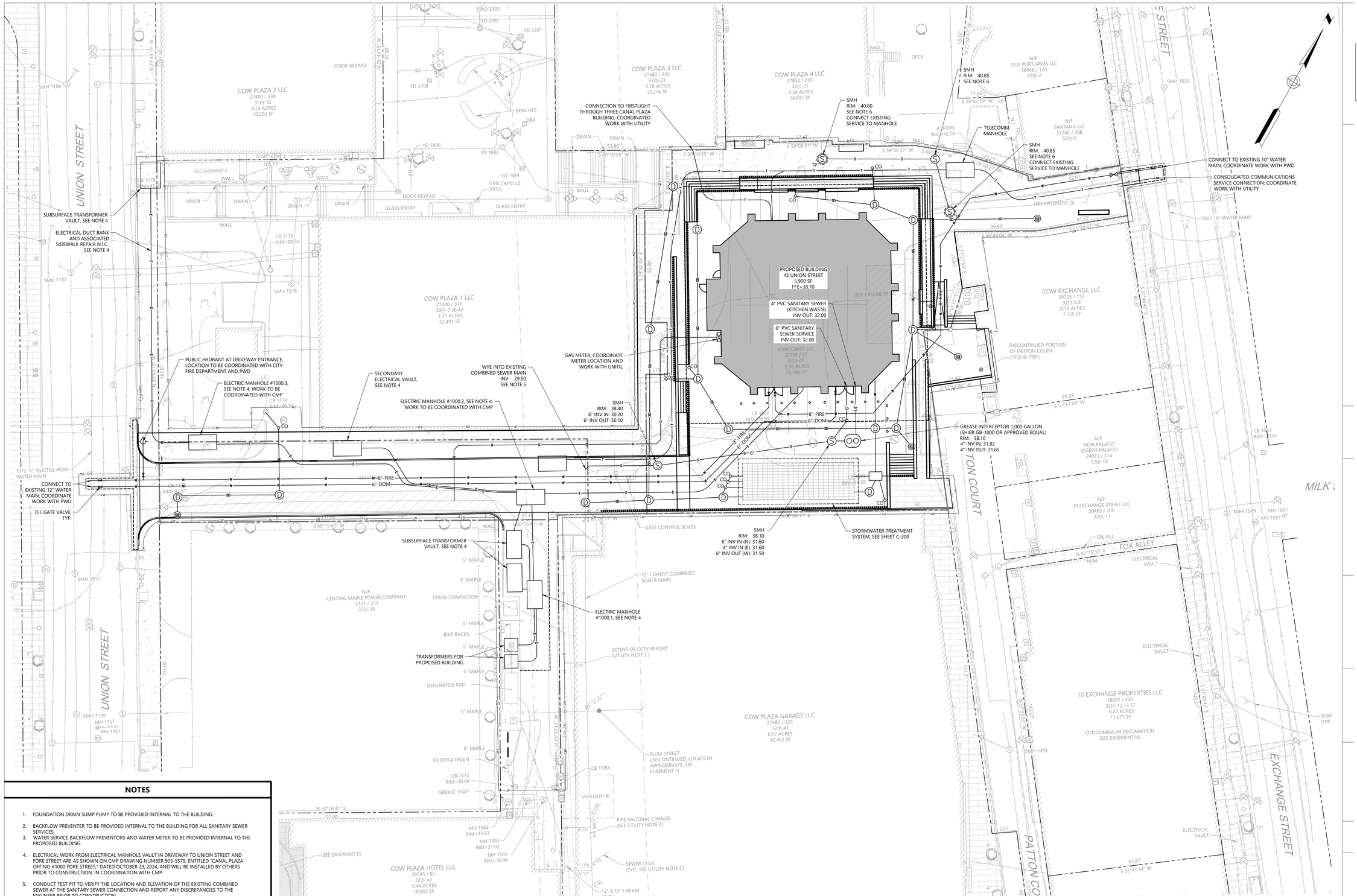

NOTES

1. FOUNDATION DRAIN SUMP PUMP TO BE PROVIDED INTERNAL TO THE BUILDING.
2. BACKFLOW PREVENTER TO BE PROVIDED INTERNAL TO THE BUILDING FOR ALL SANITARY SEWER SERVICES.
3. WATER SERVICE BACKFLOW PREVENTORS AND WATER METER TO BE PROVIDED INTERNAL TO THE PROPOSED BUILDING.
4. ELECTRICAL WORK FROM ELECTRICAL MANHOLE VAULT IN DRIVEWAY TO UNION STREET AND FORE STREET ARE AS SHOWN ON CMP DRAWING NUMBER 905-5579, ENTITLED "CANAL PLAZA OFF NO #1000 FORE STREET," DATED OCTOBER 29, 2024, AND WILL BE INSTALLED BY OTHERS PRIOR TO CONSTRUCTION, IN COORDINATION WITH CMP.
5. CONDUCT TEST PIT TO VERIFY THE LOCATION AND ELEVATION OF THE EXISTING COMBINED SEWER AT THE SANITARY SEWER CONNECTION AND REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
6. CONDUCT TEST PIT TO VERIFY EXISTING SEWER SERVICE LOCATIONS NORTHEAST OF THE PROPOSED BUILDING. REPORT LOCATION, MATERIAL, SIZE, AND INVERT ELEVATION TO ENGINEER PRIOR TO ORDERING STRUCTURES.

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ISSUE

NO.	DESCRIPTION	DATE

KEY PLAN

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DATE	CHECKED BY
AUGUST 2025	CS

PHASE

ISSUED FOR SITE PLAN APPROVAL

SCALE
1"=20'

DRAWING TITLE
SITE UTILITY PLAN

SHEET NUMBER
C-200

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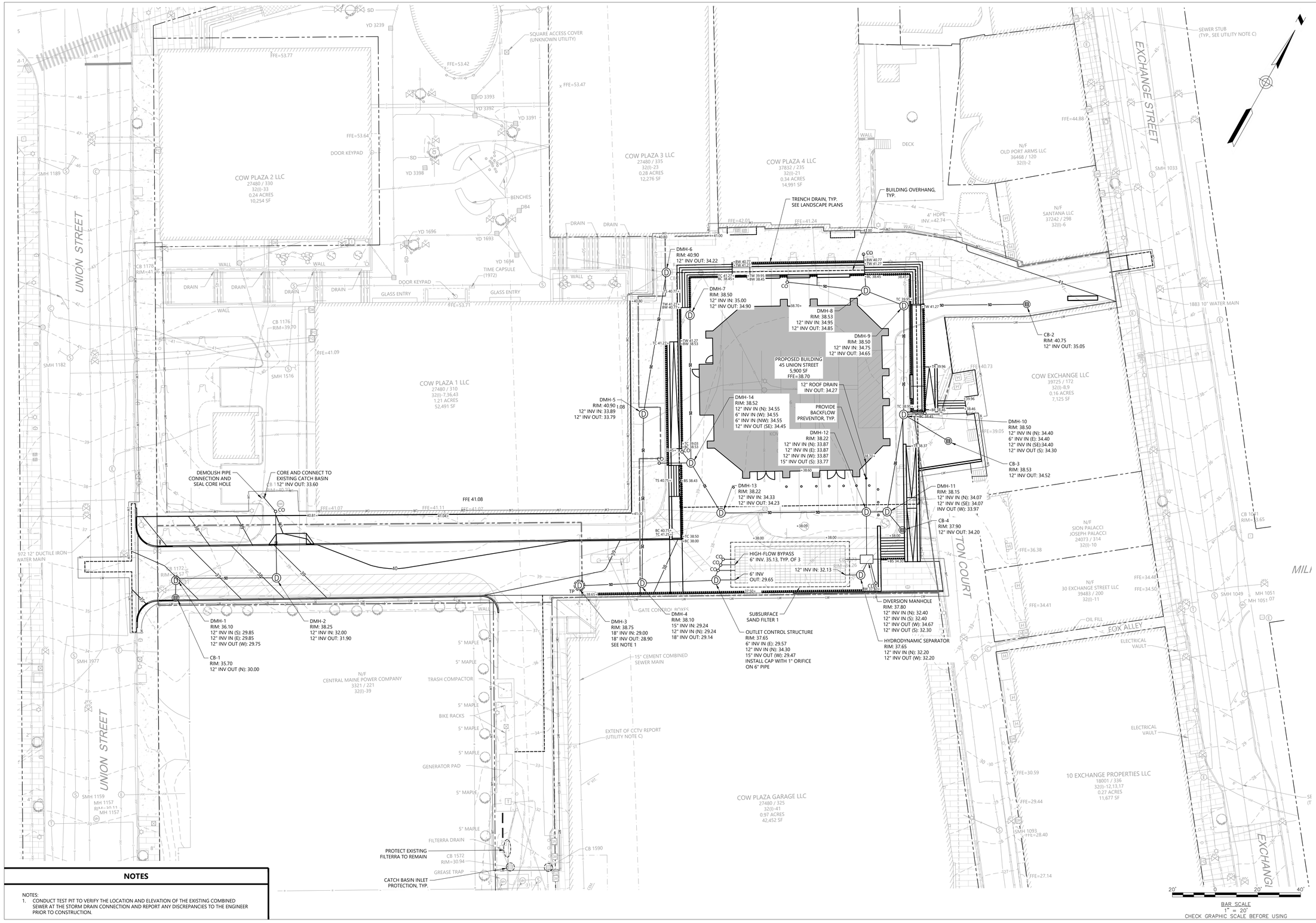

NOTES

NOTES:
1. CONDUCT TEST PIT TO VERIFY THE LOCATION AND ELEVATION OF THE EXISTING COMBINED SEWER AT THE STORM DRAIN CONNECTION AND REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.

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AUGUST 2025	CS

PHASE

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SCALE

1" = 20'

DRAWING TITLE

SITE GRADING & DRAINAGE PLAN

SHEET NUMBER

C-300

NOT FOR CONSTRUCTION

LEGEND

PROPERTY LINE

LIMIT OF WORK

SCHEDULE KEY NOTES

PAVEMENTS, RAMPS, CURBS

1.1 BRICK PAVERS

1.2 BRICK RAMP

1.3 GRANITE PAVERS

1.4 GRANITE SETTS

1.5 GRANITE STEPS

1.6 GRANITE CURBING

1.7 SLOPED WALKWAY

SITE WALLS/ EMBANKMENTS

3.1 STONE VENEER WALL

3.2 GRANITE FEATURE WALL

SITE FURNITURE

4.1 STONE BENCH

RAILINGS, BARRIERS, FENCING

5.1 HANDRAIL

5.2 GUARDRAIL AT RETAINING WALL

PLANTING AND LANDSCAPE

6.1 PROPOSED TREE IN PLANTING BED

6.2 PROPOSED TREE IN PAVEMENT

6.3 PLANTING BED

MISCELLANEOUS SITE FEATURES

8.1 SECURITY BOLLARD

8.2 CURB CUT

ALIGN TREES WITH BUILDING COLUMNS, TYP.

ALIGN

ALIGN

STORAGE

IT/ DATA

1 SITE PLAN
1"=20'

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PORTLAND, ME

LICENSED LANDSCAPE ARCHITECT
JEFFREY PELLETIER
No. 3192
STATE OF MAINE

REVISION:

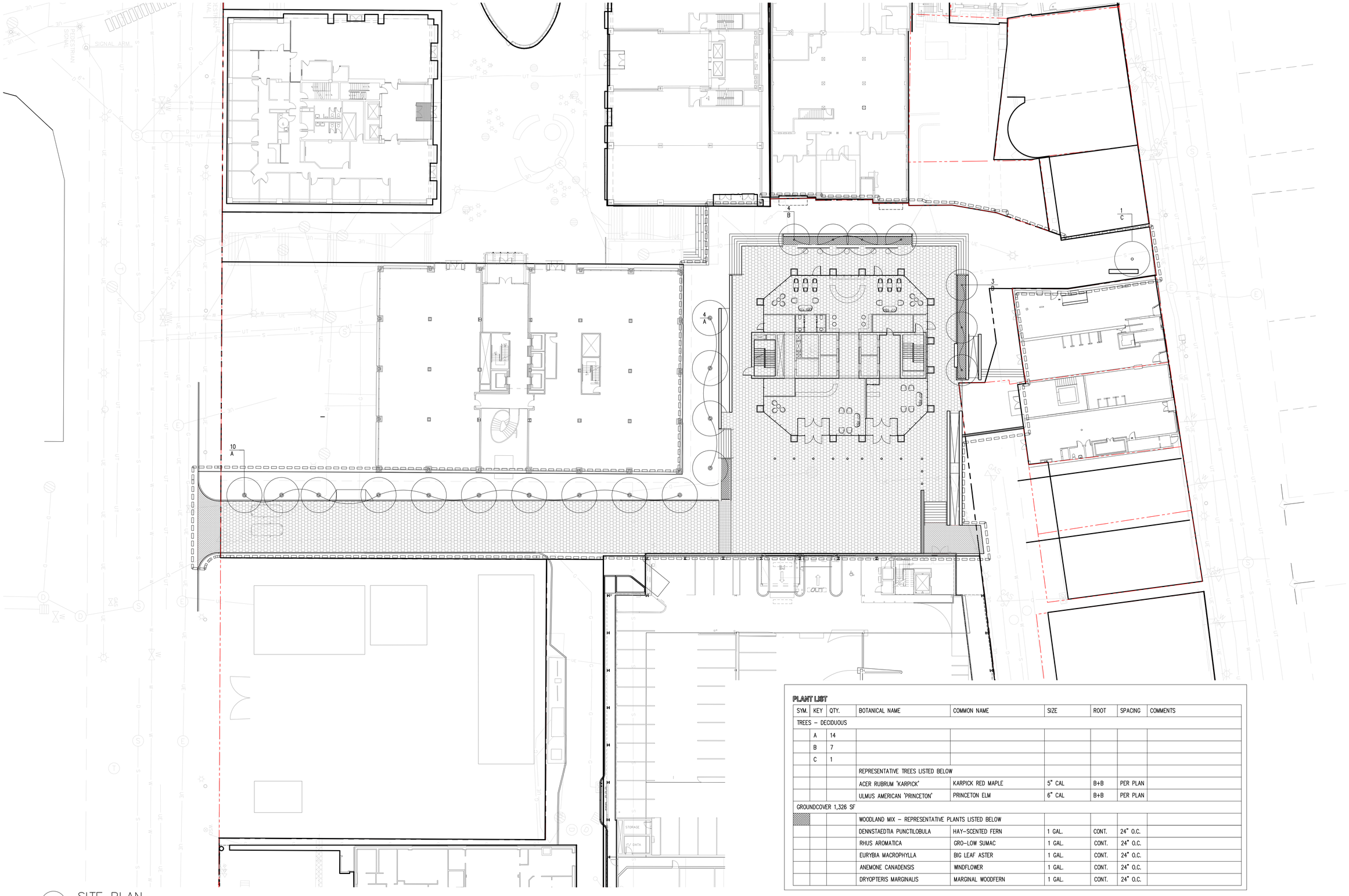
1	DATE
2	DATE
3	DATE
4	DATE
5	DATE
6	DATE

DATE OF ISSUE: 08.11.2025
STATUS: ISSUED FOR SITE PLAN APPROVAL
SCALE: AS NOTED

L1.0

SITE PLAN

NOT FOR CONSTRUCTION



1 SITE PLAN
1"=20'

PLANT LIST

SYM.	KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	SPACING	COMMENTS
TREES – DECIDUOUS								
	A	14						
	B	7						
	C	1						
			REPRESENTATIVE TREES LISTED BELOW					
			ACER RUBRUM 'KARPICK'	KARPICK RED MAPLE	5" CAL	B+B	PER PLAN	
			ULMUS AMERICAN 'PRINCETON'	PRINCETON ELM	6" CAL	B+B	PER PLAN	
GROUNDCOVER 1,326 SF								
			WOODLAND MIX – REPRESENTATIVE PLANTS LISTED BELOW					
			DENNSTAEDTIA PUNCTILOBULA	HAY-SCENTED FERN	1 GAL.	CONT.	24" O.C.	
			RHUS AROMATICA	GRO-LOW SUMAC	1 GAL.	CONT.	24" O.C.	
			EURYBIA MACROPHYLLA	BIG LEAF ASTER	1 GAL.	CONT.	24" O.C.	
			ANEMONE CANADENSIS	WINDFLOWER	1 GAL.	CONT.	24" O.C.	
			DRYOPTERIS MARGINALIS	MARGINAL WOODFERN	1 GAL.	CONT.	24" O.C.	

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45 Union St

PORTLAND, ME

LICENSED LANDSCAPE ARCHITECT
JEFFREY PELLETIER
No. 3192
STATE OF MAINE

REVISION:

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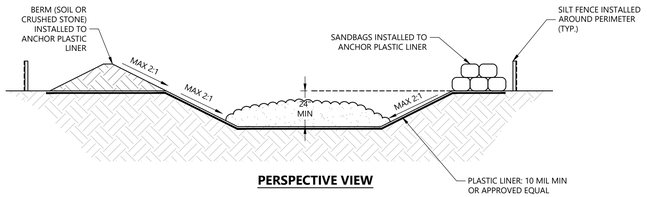
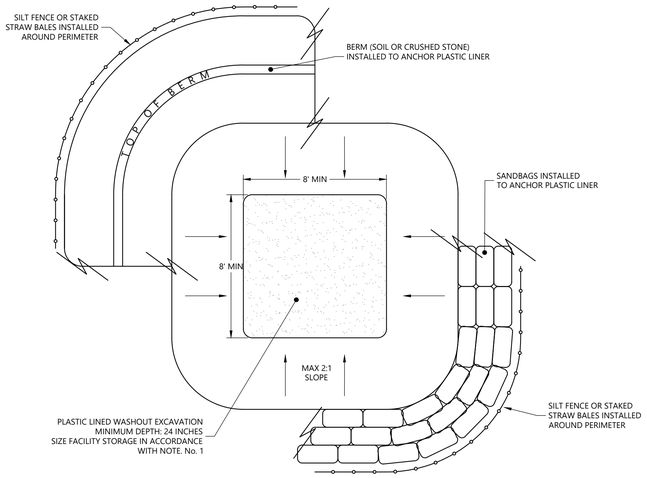
STATUS: ISSUED FOR SITE PLAN APPROVAL
SCALE: AS NOTED

L3.0

PLANTING PLAN



PERSPECTIVE VIEW



PLAN VIEW

NOTES:

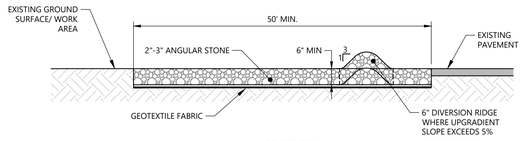
1. SIZE WASHOUT FACILITY TO PROVIDE REQUIRED CAPACITY TO ALLOW FOR PLANNED CONCRETE POUR ACTIVITIES BETWEEN FACILITY MAINTENANCE AS DESCRIBED IN NOTE 9. THE FOLLOWING RELATIONSHIPS CAN BE USED TO ESTIMATE REQUIRED CAPACITY. MINIMUM FACILITY DIMENSIONS SHALL BE CONSTRUCTED AS NOTED ON DETAIL.

REQUIRED WASH WATER	
TRUCK CHUTE	7 GAL
HOPPER	50 GAL

2. CONCRETE WASHOUT FACILITY SHALL BE CONSTRUCTED, INSPECTED AND MAINTAINED IN ACCORDANCE WITH THE STATE STANDARDS & SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL, LATEST EDITION.
3. LOCATE WASHOUT FACILITY MINIMUM OF 100 FEET AWAY FROM DRAINAGE SWALES, STORM DRAIN INLETS, WETLANDS, STREAMS AND OTHER SURFACE WATERS.
4. WASHOUT FACILITY SHALL BE LINED WITH MINIMUM 10 MIL THICKNESS PLASTIC SHEETING OR EQUIVALENT WATERTIGHT BARRIER APPROVED BY THE DIRECTOR'S REPRESENTATIVE.
5. LINER SHALL BE MAINTAINED FREE OF TEARS AND PUNCTURES AT ALL TIMES.
6. ANCHOR LINER AT TOP OF EXCAVATION WITH EARTHEN BERM, SANDBAGS OR STONE AS SHOWN ON THE DETAIL.
7. SURROUND WASHOUT FACILITY WITH SILT FENCE OR STAKED STRAW BALES.
8. ALL WASHOUT FACILITIES SHALL BE INSPECTED DAILY.
9. ACCUMULATED HARDENED MATERIAL SHALL BE REMOVED WHEN 75 PERCENT OF THE STORAGE CAPACITY OF THE STRUCTURE IS FILLED. ANY EXCESS WASH WATER SHALL BE PUMPED INTO AN ACCEPTABLE CONTAINMENT VESSEL AND DISPOSED OFFSITE IN ACCORDANCE WITH LOCAL REGULATIONS.
10. PLASTIC LINER SHALL BE REPLACED WITH REMOVAL OF ACCUMULATED HARDENED MATERIAL.
11. LOCATION TO BE APPROVED BY DIRECTOR'S REPRESENTATIVE.

1 CONCRETE WASHOUT FACILITY

SCALE: NTS



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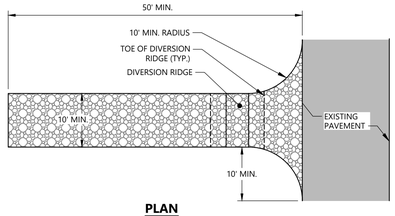


PLAN

NOTES:

1. GRADE TOWARDS SEDIMENT BARRIER WHEN NECESSARY TO MANAGE FLOW.
2. INCREASE MINIMUM LENGTH TO 100' WHERE TRACKED SEDIMENTS CONTAIN LESS THAN 80% SAND OR AS NECESSARY FOR HEAVY CONSTRUCTION.

2 STABILIZED CONSTRUCTION ENTRANCE-EXIT

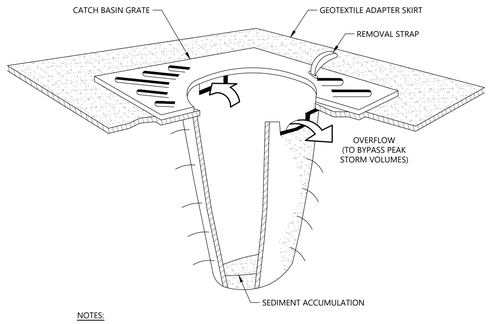
SCALE: NTS

EROSION AND SEDIMENTATION CONTROL NOTES

TEMPORARY EROSION CONTROL		
CONTRACTOR SHALL PREPARE AND SUBMIT A SOIL EROSION AND WATER POLLUTION CONTROL PLAN TO ENGINEER.		
MEASURE	DATES FOR USE	TIMING, ACTIVITY, AND LOCATION
SEDIMENTATION BARRIER	ALL	BEFORE SOIL DISTURBANCE, INSTALL DOWNHILL OF AREAS TO BE DISTURBED AND AROUND MATERIAL STOCKPILES.
UP-SLOPE DIVERSION	ALL	BEFORE SOIL DISTURBANCE, INSTALL UPHILL OF AREAS TO BE DISTURBED AND AROUND MATERIAL STOCKPILES.
CATCH BASIN PROTECTION	ALL	BEFORE SOIL OR PAVEMENT DISTURBANCE, INSTALL ACF ENVIRONMENTAL, INC. HIGH FLOW SILTSACK, SILTSAVER INLET FILTER, OR EQUAL, INSTALLED PER MANUFACTURER'S REQUIREMENTS.
DUST CONTROL	ALL	DURING DRY WEATHER, APPLY WATER AND CALCIUM CHLORIDE TO CONTROL DUST.
TEMPORARY SEEDING	APRIL 15 TO OCT. 1	SOIL STOCKPILES THAT ARE NOT COVERED AND DISTURBED AREAS THAT WILL NOT BE DISTURBED AGAIN WITHIN 14 DAYS. IF GRASS GROWTH PROVIDES LESS THAN 95% SOIL COVERAGE BY NOV. 1, APPLY MULCH AND ANCHOR WITH EROSION CONTROL BLANKET.
MULCH	APRIL 15 TO SEPT. 15	ON ALL AREAS OF EXPOSED SOIL PRIOR TO RAIN EVENTS OR EVERY 7 DAYS, APPLY 100-150 LBS (2.5 BALES) PER 1,000 SQ FT BY MECHANICAL BLOWER.
WINTER MULCH	SEPT. 16 TO OCT. 31	ON ALL AREAS OF EXPOSED SOIL PRIOR TO PRECIPITATION OR EVERY 7 DAYS, APPLY 150 TO 170 LBS. MULCH (4 BALES) PER 1,000 SQ. FT. BY MECHANICAL BLOWER. EROSION CONTROL BLANKET MAY BE USED AS A SUBSTITUTE FOR WINTER MULCH.
	NOV. 1 TO APRIL 14	ON ALL AREAS OF EXPOSED SOIL, APPLY 150 TO 170 LBS. MULCH (4 BALES) PER 1,000 SQ. FT. AND ANCHOR WITH NETTING AT THE END OF EACH WORKING DAY. EROSION CONTROL BLANKET MAY BE USED AS A SUBSTITUTE FOR WINTER MULCH.
INSPECTIONS	UNTIL SITE IS PERMANENTLY STABILIZED	INSPECT THE EROSION AND SEDIMENTATION CONTROL MEASURES PER INSPECTIONS TABLE BELOW, AND MAINTAIN AND REPAIR AS NECESSARY.

PERMANENT EROSION CONTROL		
MEASURE	DATES FOR USE	TIMING, ACTIVITY, AND LOCATION
PAVEMENT - BASE COURSE FINAL COURSE	WHEN NO FROST IS IN GROUND	INSTALL ONLY IN AREAS SHOWN ON THE PLAN, SHORTLY AFTER PAVEMENT BASE IS BROUGHT TO FINAL GRADE. INSTALL NEAR COMPLETION OF PROJECT.
PERMANENT SEEDING	APRIL 15 TO SEPT. 15	ON FINAL GRADE AREAS, WITHIN 7 DAYS OF GRADE PREPARATION. PREPARE TOPSOIL FOLLOWED BY SEED AND MULCH APPLICATION.
DORMANT SEEDING	SEPT. 16 TO APRIL 15	ON FINAL GRADE AREAS, WITH PREPARED TOPSOIL. APPLY SEED AT DOUBLE THE SPECIFIED RATE ON BARE SOIL, AND FOLLOW WITH AN APPLICATION OF WINTER MULCH.
GROUND COVER, TREES, SHRUBS	APRIL 15 TO NOV. 1	INSTALL WITH FINAL LANDSCAPING.
PERMANENT MULCH	ALL	INSTALL WITH FINAL LANDSCAPING.

INSPECTIONS	
REGULAR INSPECTIONS OF ALL EROSION AND SEDIMENTATION CONTROLS SHALL BE MADE AT LEAST WEEKLY AND PRIOR TO AND FOLLOWING STORM EVENTS. MINIMUM INSPECTIONS SHALL BE MADE AS LISTED IN THE TABLE BELOW.	
INSPECTED ITEM	LOOK FOR
MULCHED SURFACES	THIN MULCH OR INADEQUATE APPLICATION. WIND MOVEMENT.
SEEDED SURFACES	POOR SEED GERMINATION. LOSS OF MULCH. DEVELOPMENT OF RIVULETS.
SEDIMENT BARRIER	SEDIMENT BUILD-UP TO ONE HALF THE HEIGHT OF THE BARRIER. UNDERMINING OF THE BARRIER. SUPPORTING STAKES LOOSE, TOPPLED, OR UNMARKED. BREAKS IN BARRIER.
PERIMETER DIVERSION	DISCHARGE IS TO STABILIZED AREA. EROSION OR BREAKS IN BARRIER. SUPPORTING STAKES LOOSE, TOPPLED OR UNMARKED.
CATCH BASIN PROTECTION	SEDIMENT BUILD-UP AND STRUCTURE BLOCKAGES. SLOW FLOW/PONDING WATER. BREAKS IN FABRIC OR VOIDS IN BARRIER.
DEWATERING FILTER	BREAKS IN FABRIC OR SUPPORTING STRUCTURE. SLOW FLOW, INDICATING HIGH SEDIMENT BUILD-UP.
CONSTRUCTION ENTRANCE	SEDIMENTATION OF ROADWAYS. OFF-SITE DUST COMPLAINTS.



NOTES:

1. CATCH BASIN PROTECTION TO BE "SILTSACK" (BY ACF ENVIRONMENTAL) OR "STREAM GUARD" (BY FOSS ENVIRONMENTAL SERVICES).
2. INSERT TO BE EMPTIED IN AN APPROVED MANNER WHEN IT IS 1/2 FULL OF SEDIMENT.
3. INSPECT INSERT AFTER ALL RAINFALL EVENTS, REPAIR AND MAINTAIN AS REQUIRED.

3 TEMPORARY INLET PROTECTION

SCALE: NTS

EROSION AND SEDIMENT CONTROL NOTES:

TEMPORARY EROSION CONTROL MEASURES MAY INCLUDE THE USE OF STABILIZED CONSTRUCTION ENTRANCES, HYDRAULIC MULCH, HAY AND STRAW MULCH, EROSION CONTROL BLANKET, TURF REINFORCED MATTING, RIPRAP AND TEMPORARY SEEDING. TEMPORARY SEDIMENT CONTROL MEASURES INCLUDE THE USE OF SILT FENCE, EROSION CONTROL MIX BERMS, PLUNGE POOLS, CHECK DAMS, SEDIMENT TRAPS, CATCHBASIN SEDIMENT COLLECTION BAGS AND GEOTEXTILE FILTER BAGS. PERMANENT MEASURES INCLUDE THE USE OF RIPRAP AT EXPOSED STORMDRAIN AND CULVERT INLETS AND OUTLETS, ARMORED SWALES AND SLOPES AND PERMANENT VEGETATION.

GENERAL

A. THE PROJECT SHALL CONFORM WITH THE STANDARDS OF THE MAINE CONSTRUCTION GENERAL PERMIT, IF APPLICABLE.

B. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE MAINE EROSION AND SEDIMENT CONTROL BMPS HANDBOOK PUBLISHED BY THE MAINE DEP UNLESS OTHERWISE NOTED IN THESE PLANS.

C. ANY ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES DEEMED NECESSARY BY THE OWNER'S REPRESENTATIVE, DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND/OR MUNICIPAL OFFICIALS SHALL BE INSTALLED BY THE CONTRACTOR.

D. THE CONTRACTOR IS RESPONSIBLE FOR ALL FINES RESULTING FROM EROSION OR SEDIMENTATION FROM THE SITE TO SURROUNDING PROPERTIES, WATER BODIES, OR WETLANDS AS A RESULT OF THIS PROJECT.

E. THE CONTRACTOR SHALL MINIMIZE DISTURBANCE TO THE SITE WHENEVER POSSIBLE WHILE ALLOWING PROPER SITE DEVELOPMENT.

F. CONSTRUCTION STAGING SHALL BE CONDUCTED IN A WAY TO MINIMIZE THE POTENTIAL FOR STORMWATER RUN-ON TO DISTURBED AREAS.

G. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR/REPLACEMENT/MAINTENANCE OF ALL EROSION CONTROL MEASURES UNTIL ALL DISTURBED AREAS ARE STABILIZED TO THE SATISFACTION OF THE ABOVE PERSONNEL. DESCRIPTIONS OF PERMANENT STABILIZATION FOR VARIOUS COVER TYPES FOLLOWS:
   I. FOR SEEDED AREAS, PERMANENT STABILIZATION MEANS THAT 90% OF THE DISTURBED AREA IS COVERED WITH REASONABLY THICK UNIFORM STAND OF PERMANENT GRASS SPECIES, FREE FROM SIZABLE THIN OR BARE SPOTS.
   II. FOR SODDED AREAS, PERMANENT STABILIZATION MEANS THAT COMPLETE BINDING OF THE SOD ROOTS INTO THE UNDERLYING SOIL WITH NO SLUMPING OF THE SOD OR DIE OFF.
   III. FOR MULCHED AREAS, PERMANENT STABILIZATION MEANS TOTAL COVERAGE OF THE EXPOSED AREA WITH AN APPROVED MULCH MATERIAL.
   IV. FOR AREAS STABILIZED WITH RIPRAP, PERMANENT STABILIZATION MEANS THAT SLOPES STABILIZED WITH RIPRAP HAVE AN APPROPRIATE BACKING OF A WELL-GRADED GRAVEL OR APPROVED GEOTEXTILE. STONE MUST BE SIZED APPROPRIATELY AND IN ACCORDANCE WITH SECTION E-6 OF THE MAINE EROSION AND SEDIMENT CONTROL BMP MANUAL.
   V. FOR PAVED AREAS, PERMANENT STABILIZATION MEANS THE PLACEMENT OF THE ASPHALT BINDER COURSE.
   VI. FOR OPEN CHANNELS, LEVEL SPREADERS, ENGINEERED BUFFERS OR OTHER DESIGNED STORMWATER CONVEYANCE STRUCTURE, PERMANENT STABILIZATION MEANS THE CHANNELIZED AREA(S) IS STABILIZED WITH MATURE VEGETATION AT LEAST THREE INCHES IN HEIGHT, WITH APPROVED RIPRAP, OR WITH OTHER NON-EROSIVE LINING CAPABLE OF WITHSTANDING THE ANTICIPATED FLOW VELOCITIES AND FLOW DEPTHS WITHOUT RELIANCE ON CHECK DAMS TO SLOW FLOW. THERE SHALL BE NO EVIDENCE OF SLUMPING, UNDERCUTTING OR DOWNCUTTING OF THE DESIGNED CHANNEL.

H. IF THE AREA WILL REMAIN UNWORKED FOR MORE THAN ONE YEAR OR HAS BEEN BROUGHT TO FINAL GRADE, AND WILL NOT BE BUILT ON, THEN IMMEDIATELY PROVIDE PERMANENT STABILIZATION USING VEGETATION THROUGH PLANTING, SEEDING, SOD OR THROUGH THE USE OF PERMANENT MULCH OR RIPRAP. IF USING VEGETATION FOR STABILIZATION, SELECT THE PROPER VEGETATION FOR THE LIGHT, MOISTURE, AND SOIL CONDITIONS. AMEND AREAS OF DISTURBED, OVERLY-COMPACTED SUBSOIL WITH TOPSOIL OR COMPOST AND LIGHTLY TILL 2-3" OF SOIL AMENDMENTS INTO THE TOP 8" OF SOIL.

I. PERMANENT SEEDING SPECIFICATION: IT IS RECOMMENDED THAT PERMANENT SEEDING BE COMPLETED BETWEEN APRIL 1 AND AUGUST 15 OF EACH YEAR. LATE SEASON SEEDING MAY BE DONE BETWEEN AUGUST 15 AND SEPTEMBER 15. AREAS NOT SEEDED OR WHICH DO NOT OBTAIN A SATISFACTORY GROWTH BY OCTOBER 1 SHALL BE SEEDED WITH AROOSTOCK WINTER RYE OR MULCHED AT SPECIFIED RATES. SEE WINTER SEEDING AND MULCHING SPECIFICATIONS FOR STABILIZATION AFTER NOVEMBER 1.
   I. APPLY TOPSOIL TO A DEPTH OF 4 INCHES, IN COMPACTED AREAS TILL 2-3" OF COMPOST INTO UPPER 8" OF DISTURBED SOIL AND THEN APPLY 4 INCHES OF TOPSOIL.
   II. APPLY LIME AND FERTILIZER ACCORDING TO SOIL TESTS, IN LIEU OF SOIL TESTS, APPLY GROUND LIMESTONE AT A RATE OF 33 LBS PER 1000 SQUARE FEET AND GRANULAR, COMMERCIAL-GRADE FERTILIZER 10-10-10 AT A RATE OF 18 LBS PER 1000 SQUARE FEET.
   III. UNIFORMLY APPLY SEED MIXTURE AT THE RECOMMENDED SEEDING RATES AND DATES, APPLY HAY OR STRAW MULCH AT A RATE OF 2.5 BALES PER 1000 SQUARE FEET AND ANCHOR AS NECESSARY.

J. PROTECT ALL SEEDED AREAS WITH MULCH OR EROSION CONTROL BLANKET IN AREAS OF SHEET OR CONCENTRATED FLOWS. MULCH ALL AREAS SO THAT SOIL IS NOT VISIBLE THROUGH THE MULCH REGARDLESS OF THE APPLICATION RATE. SCHEDULE SEEDING OR SODDING TO AVOID FAILURE DUE TO SUMMER DROUGHT AND FALL FROST. NEWLY SEEDED AREAS SHOULD BE PROTECTED FROM VEHICLE TRAFFIC, PEDESTRIAN TRAFFIC AND CONCENTRATED RUNOFF UNTIL THE VEGETATION IS WELL ESTABLISHED. AREAS MUST BE REWORKED AND RESTABILIZED IF GERMINATION IS SPARSE OR SURFACE EROSION IS EVIDENT.

K. DITCH LININGS AND RIPRAP INLET AND OUTLET PROTECTION SHALL BE INSTALLED WITHIN 48 HOURS OF COMPLETING THE GRADING OF THAT SECTION OF DITCH OR INSTALLATION OF THE CULVERT.

L. EROSION CONTROL BLANKET SHALL BE INSTALLED ON ALL PERMANENT SLOPES STEEPER THAN 3:1, IN THE BASE OF DITCHES AND ANY DISTURBED AREAS WITHIN 100 FEET OF A PROTECTED NATURAL RESOURCE (WETLANDS AND WATER RESOURCES). EROSION CONTROL BLANKET SHALL BE NORTH AMERICAN GREEN S150BN OR APPROVED EQUAL. EROSION CONTROL BLANKET SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.

M. THE CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF ALL TEMPORARY EROSION CONTROL MEASURE UPON STABILIZATION OF PROJECT AREA & COST SHALL BE INCIDENTAL TO CONTRACT.

WINTER CONDITIONS:

A. WINTER CONSTRUCTION IS CONSTRUCTION ACTIVITY PERFORMED DURING THE PERIOD FROM NOVEMBER 1 THROUGH APRIL 15. IF AREAS WITHIN THE CONSTRUCTION AREA ARE NOT STABILIZED WITH TEMPORARY OR PERMANENT MEASURES OUTLINED ABOVE BY NOVEMBER 15 THEN THE SITE MUST BE PROTECTED WITH ADDITIONAL STABILIZATION MEASURES THAT ARE SPECIFIC TO WINTER CONDITIONS.

GOOD HOUSEKEEPING AND POLLUTION PREVENTION:

A. SPILL PREVENTION CONTROLS MUST BE USED TO PREVENT POLLUTANTS FROM BEING DISCHARGED FROM MATERIALS ON SITE, INCLUDING STORAGE PRACTICES TO MINIMIZE EXPOSURE OF THE MATERIALS TO STORMWATER RUNOFF AND APPROPRIATE SPILL PREVENTION, CONTAINMENT AND RESPONSE PLANNING AND IMPLEMENTATION.

B. DURING CONSTRUCTION, PETROLEUM PRODUCTS AND OTHER HAZARDOUS MATERIALS WITH THE POTENTIAL TO CONTAMINATE GROUND OR SURFACE WATERS MAY NOT BE STORED OR HANDLED IN AREAS OF THE SITE DRAINING TO INFILTRATION AREAS. AN "INFILTRATION AREA" IS ANY ARE OF THE SITE THAT BY DESIGN, OR AS A RESULTS OF SOIL AND TOPOGRAPHY, ACCUMULATES RUNOFF THAT INFILTRATES IN THE SOIL. DIKES, BERMS, SUMPS AND OTHER FORMS OF TEMPORARY SECONDARY CONTAINMENT THAT PREVENT DISCHARGE TO GROUNDWATER MAY BE USED TO ISOLATE PORTIONS OF THE SITE FOR THE PURPOSES OF STORAGE AND HANDLING OF THESE MATERIALS.

C. LOCATE ALL MATERIAL STOCKPILES WITH CONSIDERATION FOR STORMWATER DRAINAGE PATTERNS AND INFRASTRUCTURE.

D. TAKE ALL REASONABLE MEASURES TO MINIMIZE DUST RESULTING FROM THE PROJECT. OIL MAY NOT BE USED FOR DUST CONTROL.

E. LOCATE ALL LITTER, CONSTRUCTION DEBRIS AND CONSTRUCTION CHEMICALS WITH CONSIDERATION FOR STORMWATER DRAINAGE PATTERNS AND INFRASTRUCTURE.

F. TRENCH OR FOUNDATION DE-WATERING MUST BE SPREAD THROUGH SUFFICIENT NATURAL BUFFERS THAT HAVE CAPACITY TO INFILTRATE THE PUMPED WATER OR SHOULD BE PUMPED TO DESIGNED CONSTRUCTION DEWATERING DEVICES AS DESCRIBED IN THE MAINE EROSION AND SEDIMENT CONTROL BMPS HANDBOOK.

G. SEDIMENTS AND SOIL MATERIALS SHOULD BE SWEPT FROM PAVED SURFACES AT THE END OF EACH WORKDAY OR PRIOR TO RAIN EVENTS, WHENEVER POSSIBLE.

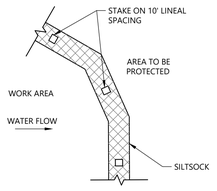
INSPECTION AND MAINTENANCE:

A. PERSON WITH KNOWLEDGE OF EROSION AND STORMWATER CONTROLS, INCLUDING THE STANDARDS IN THE MAINE CONSTRUCTION GENERAL PERMIT, THE MAINE EROSION AND SEDIMENT CONTROL BMPS HANDBOOK OR ANY MUNICIPAL REQUIREMENTS MUST CONDUCT THE INSPECTION. THIS PERSON MUST BE IDENTIFIED IN THE INSPECTION LOG. IF ADDITIONAL BMPS OR MODIFICATIONS TO BMPS ARE NECESSARY, THE MODIFICATIONS MUST BE IMPLEMENTED WITH 7 CALENDAR DAYS OR PRIOR TO ANY PRECIPITATION EVENT. ALL MEASURES MUST BE MAINTAINED IN EFFECTIVE OPERATING CONDITION UNTIL AREAS ARE PERMANENTLY STABILIZED.

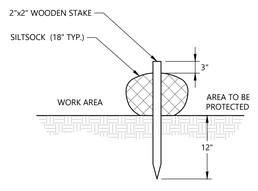
B. AN INSPECTION AND MAINTENANCE LOG MUST BE KEPT BY THE CONTRACTOR, SUMMARIZING THE SCOPE OF THE INSPECTION, DATE, AND MAJOR OBSERVATIONS RELATING TO THE OPERATION OF EROSION AND SEDIMENT CONTROL BMPS, MATERIAL STORAGE AREAS, AND VEHICLE ACCESS POINTS TO THE CONSTRUCTION AREA. THE INSPECTION LOG SHOULD BE DELIVERED TO THE PROPERTY OWNER OR RESPONSIBLE CONTRACTING ENTITY UPON COMPLETION OF THE PROJECT.

DEWATERING:

A. ANY DEWATERING FLOW DIRECTED TO THE CITY'S COMBINED SEWER SYSTEM SHALL BE REVIEWED AND APPROVED BY THE DEPARTMENT OF PUBLIC SERVICES AND/OR THE PORTLAND WATER DISTRICT PRIOR TO COMMENCING DEWATERING ACTIVITIES.



PLAN VIEW



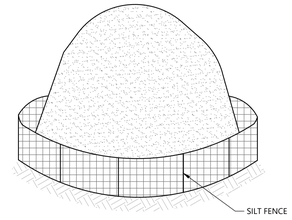
SECTION

NOTE:

1. WHEN STAKING IS NOT POSSIBLE, HEAVY CONCRETE BLOCKS SHALL BE USED BEHIND THE SEDIMENT CONTROL TO HELP STABILIZE DURING RAINFALL/RUNOFF EVENTS.

4 SILT SOCK

SCALE: NTS



NOTES:

1. STOCKPILES SHALL BE SURROUNDED BY SILT FENCE.
2. STOCKPILES SHALL HAVE A MAXIMUM 2:1 (H:V) SIDE SLOPE.
3. REPAIR OR REPLACE DAMAGED SILT FENCE DUE TO CONSTRUCTION ACTIVITIES OR STOCKPILE MITIGATION.
4. STOCKPILE SHALL BE LOCATED IN AREAS AS SHOWN ON THE DRAWINGS OR APPROVED BY THE ENGINEER.

5 TEMPORARY SOIL STOCKPILE

SCALE: NTS

45 Union Street

45 Union Street, Portland, Maine

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STATE OF MAINE
CAITLIN G. SUHR
No. 17568
LICENSED
PROFESSIONAL ENGINEER

KEY PLAN



NOTES

NOT FOR CONSTRUCTION

PROJECT NUMBER	DRAWN BY
1083.00	BCM
DATE	CHECKED BY
AUGUST 2025	CS

PHASE

ISSUED FOR SITE PLAN APPROVAL

SCALE

AS NOTED

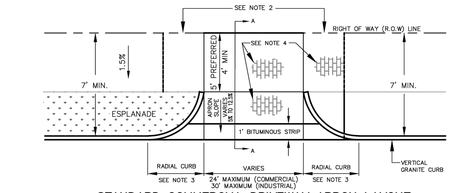
DRAWING TITLE

CIVIL DETAILS - 1

SHEET NUMBER

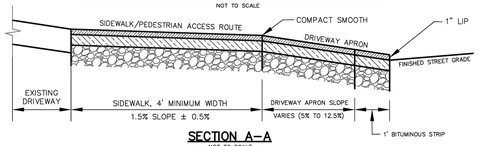
C-400

3/19/2025 9:54:17 AM



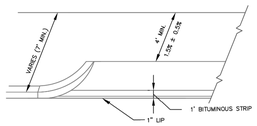
STANDARD COMMERCIAL DRIVEWAY APRON LAYOUT

NOT TO SCALE



SECTION A–A

NOT TO SCALE

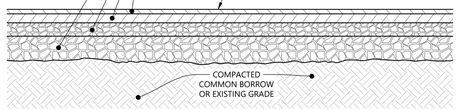


NOTES:

1. MATCH EXISTING GRADE AT R.O.W LINE. WHERE REQUIRED TO MEET A.D.A. AND DRIVEWAY APRON SLOPE REQUIREMENTS, A CONSTRUCTION EASEMENT MAY BE REQUIRED.
2. IF MATCHING THE EXISTING GRADE AT ROW CAUSES APRON SLOPE TO EXCEED RECOMMENDED %, SIDEWALK TRANSITION AREAS MAY BE ADDED, BUT SHALL NOT EXCEED 8.33%.
3. DRIVEWAY CURB RADIUS SHALL NOT BE LARGER THAN REQUIRED BY THE SITE'S DESIGN VEHICLE.
4. ALL MATERIALS IN ROW TO COMPLY WITH CITY'S SIDEWALK & DRIVEWAY MATERIAL POLICY. BRICK IN DRIVEWAY APRONS, WHERE APPLICABLE, SHALL BE ORIENTED IN THE SAME WAY AS THE ADJACENT BRICK SIDEWALK..

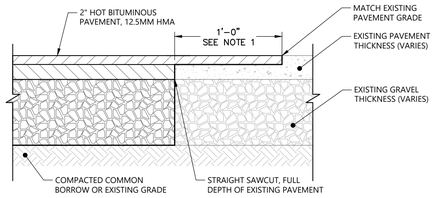
1 COMMERCIAL/ INDUSTRIAL DRIVEWAY APRON

SCALE: NTS



4 BITUMINOUS PAVEMENT REPAIR

SCALE: NTS



NOTES:

1. GRIND EXISTING PAVEMENT, 2" DEPTH.
2. PROVIDE BITUMINOUS TACK COAT ON VERTICAL AND HORIZONTAL SURFACES PRIOR TO PAVING.
3. DETAIL APPLICABLE TO PAVEMENT BUTT JOINTS AT ROADWAY WORK LIMITS. REFER TO PIPE INSTALLATION DTL. OR PAVED ROAD SECTION DTLS. FOR TRENCH REPAIR REQUIREMENTS.

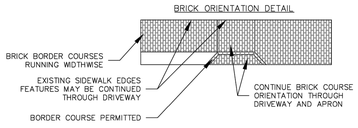
7 PAVEMENT BUTT JOINT

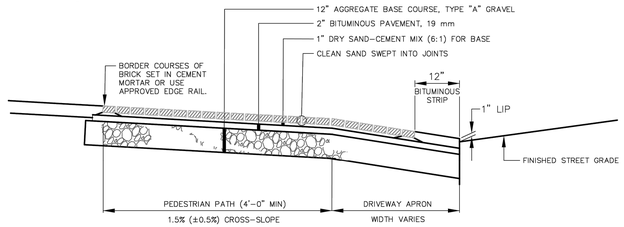
SCALE: NTS

BRICKS TO BE USED:

NEW CONSTRUCTION:
4"x8" PINE HALL PATHWAY PAVER BRICK, MFG. BY PINE HALL BRICK CO., MADISON, NORTH CAROLINA. LACHANCE ITEM # 193623, PINE HALL PATHWAY PAVER BRICK.

REPAIR /MAINTENANCE TO EXISTING BRICK SIDEWALKS: VERMONT PAVER; SUPPLIED BY GAGNE AND SONS. SPECIFICATION NUMBER: "VERMONT BACKER BRICK", ITEM NUMBER # VBBB





2 BRICK DRIVEWAY APRON WITH BITUMINOUS BASE

SCALE: NTS

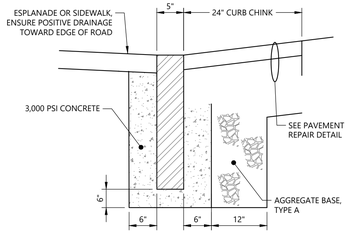
SECTION VIEW

NOTES:

1. BRICKS SHALL BE VERMONT BACKER BRICK PAVER SUPPLIED BY GAGNE AND SONS OR APPROVED EQUAL.
2. PROVIDE MIN. 48" OF STRUCTURAL FILL BENEATH ANY BRICK SIDEWALK SECTION WITHIN 6 FEET OF AN EXTERIOR DOOR, ALL DIRECTIONS.
3. PROVIDE MIN. 48" OF STRUCTURAL FILL BENEATH ANY BRICK SIDEWALK SECTION WITHIN 6 FEET OF AN EXTERIOR DOOR, ALL DIRECTIONS.

5 BRICK SIDEWALK IN CITY RIGHT-OF-WAY

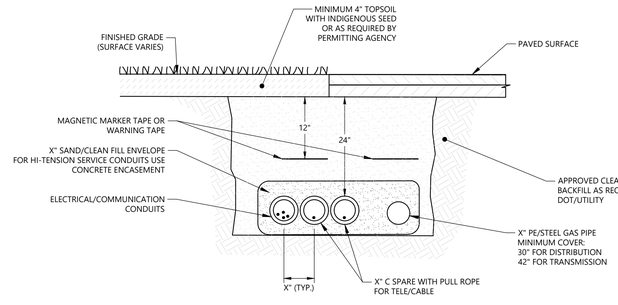
SCALE: NTS



SECTION VIEW

8 FLUSH GRANITE CURB IN CITY RIGHT-OF-WAY

SCALE: NTS

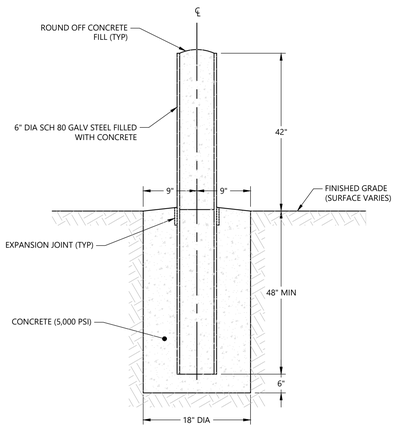


NOTES:

1. MAINTAIN 18" CLEAR BETWEEN ELECTRICAL/COMMUNICATION CONDUITS AND GAS PIPING.
2. EXCAVATE, REMOVE ROCK, BACKFILL, SEED AND RESTORE GRASS OR PAVEMENT TO ORIGINAL CONDITIONS.

6 ELECTRICAL, GAS, AND COMMUNICATIONS TRENCH

SCALE: NTS

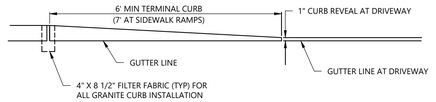


NOTE:

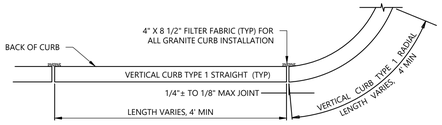
1. ALL BOLLARDS SHALL BE PAINTED. COLOR SELECTED BY OWNER.

9 6" DIA. BOLLARD (IN PAVEMENT)

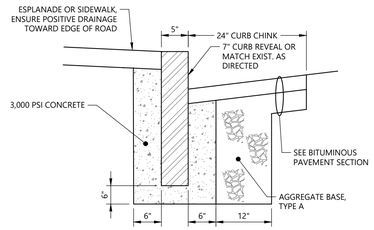
SCALE: NTS



TERMINAL CURB PROFILE



VERTICAL GRANITE CURB PLAN VIEW



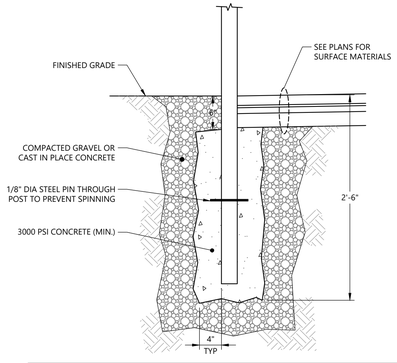
VERTICAL GRANITE CURB CROSS SECTION

NOTES:

1. PROVIDE 6" TYP CURB REVEAL UNLESS OTHERWISE INDICATED. IF NECESSARY TO MAKE SIDEWALK GRADES ACCESSIBLE, CURB REVEAL BETWEEN 4 AND 7 INCHES IS ACCEPTABLE. CURB REVEALS LARGER THAN 6" ARE ACCEPTABLE WHERE INDICATED ON THE DRAWINGS OR WITH WRITTEN APPROVAL FROM ENGINEER.
2. GRANITE BLOCKS SHALL BE SUFFICIENT SIZE AND DEPTH TO PREVENT OVERTURNING.
3. INDIVIDUAL PIECES OF CURB SHORTER THAN 4 L.F. ARE NOT ALLOWED, WITH THE EXCEPTION OF RADIAL CURB.
4. THE MINIMUM HEIGHT OF THE CONCRETE BACKING SHALL BE 10-INCHES OR TO THE BOTTOM OF THE HOT MIX ASPHALT PAVEMENT, WHICHEVER IS GREATER, MEASURED FROM THE BOTTOM OF CURB.
5. CURBING SHALL BE SET IN 6-INCH BED OF POURED IN PLACE 3,000 PSI CONCRETE MIX.
6. WOODEN SHIMS MAY BE USED TO SET CURB.
7. SUBGRADE TO BE 95% COMPACTED.

3 VERTICAL GRANITE CURB IN CITY RIGHT-OF-WAY

SCALE: NTS



POST SPECIFICATION			
TYPE	HEIGHT ABOVE FINISHED GRADE	POST DIAMETER	POST MATERIAL
STREET SIGNAGE	0' TO 60' INCL.	4" MIN.	GALV. STEEL

10 TYPICAL SIGN POST

SCALE: NTS

45 Union Street

45 Union Street, Portland, Maine

EAST BROWN COW®

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CAITLIN G. SUHR
No. 17568
LICENSED PROFESSIONAL ENGINEER

KEY PLAN



NOTES

NOT FOR CONSTRUCTION

PROJECT NUMBER	DRAWN BY
1083.00	BCM
DATE	CHECKED BY
AUGUST 2025	CS

PHASE

ISSUED FOR SITE PLAN APPROVAL

SCALE

AS NOTED

DRAWING TITLE

CIVIL DETAILS - 2

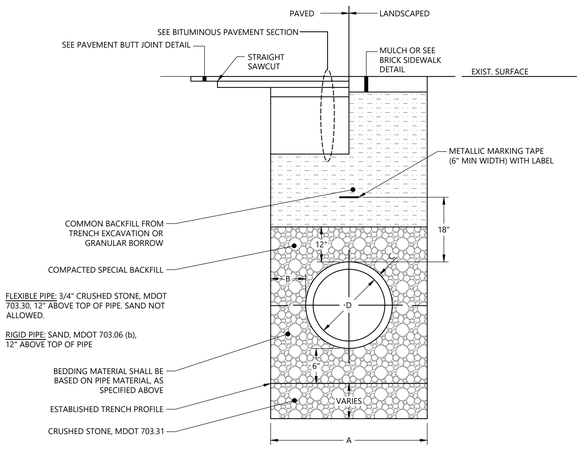
SHEET NUMBER

C-401

3/19/2025 9:54:17 AM

NOTES:

ANY ALTERNATE TRENCHING SHALL BE APPROVED IN ADVANCE BY THE CITY OF PORTLAND, DEPARTMENT OF PUBLIC SERVICES.



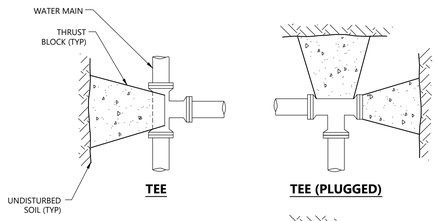
NOTES:

1. IN PAVED AREAS, DEPTHS OF GRAVEL AND HOT MIX ASPHALT PAVEMENT SHALL MATCH THE GREATER OF EXISTING CONDITIONS OR THE REQUIREMENTS FOR THE CORRESPONDING STREET CLASSIFICATION.
2. DIMENSION "B" SHALL BE SUFFICIENT TO ALLOW CRUSHED STONE BEDDING TO BE PLACED AND COMPACTED UNDER THE HAUNCHES OF THE PIPE; BUT IN ALL CASES "B" SHALL BE AT LEAST 9".
3. DIMENSION "A" SHALL BE BASED ON PIPE DIAMETER, AS SET FORTH IN THE FOLLOWING TABLE.

PIPE DIAMETER, "D" (INCHES)	MAX. TRENCH WIDTH, "A" (FEET)
6	4.0
8	4.0
10	4.0
12	4.0
15	4.0
18	5.0
21	5.0
24	5.5
27	6.0
30	6.0
36	7.0
42	8.0
48	8.0

1 PIPE INSTALLATION

SCALE: NTS



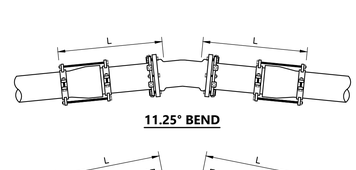
NOMINAL PIPE SIZE (INCHES)	MAXIMUM PIPE OD (INCHES)	REQUIRED BEARING AREA (SQ FT)					
		90 DEG	60 DEG	45 DEG	30 DEG	22.30 DEG	11.25 DEG
3	3.96	2.0	1.4	1.1	0.7	0.5	0.3
4	4.80	2.9	2.0	1.6	1.1	0.8	0.4
6	6.90	6	4	3	2.2	1.6	0.8
8	9.05	10	7	6	4	3	1.4
10	11.10	15	11	8	6	4	2.1
12	13.20	22	15	12	8	6	3
14	15.30	29	21	16	11	8	4
16	17.40	38	27	20	14	10	5
18	19.50	48	34	26	17	13	7
20	21.60	58	41	32	21	16	8
24	25.80	83	59	45	30	23	12
30	32.00	128	90	69	47	35	18
36	38.30	183	130	99	67	51	25

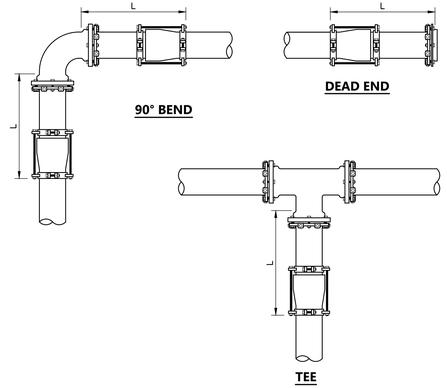
NOTES:

1. MAXIMUM TEST PRESSURE = 1.5x150 PSI.
2. MINIMUM ALLOWABLE SOIL BEARING PRESSURE = 2000 PSF.
3. BEARING AREA = AxB.
4. C SHALL BE GREATER THAN A/2 AND B/2.
5. WRAP FITTINGS WITH POLYETHYLENE PRIOR TO CONSTRUCTING THRUST BLOCKS. NO JOINTS SHALL BE COVERED WITH CONCRETE.

2 THRUST BLOCKS FOR HORIZONTAL BENDS AND LOWER VERTICAL BENDS

SCALE: NTS





DIAMETER	REQUIRED LENGTH OF RESTRAINED JOINT PIPE ON BOTH SIDES OF FITTING				REQUIRED LENGTH OF RESTRAINED JOINT PIPE
	HORIZONTAL BEND				
	11.25°	22.5°	45°	TEE/90°	DEAD END
6"	2'	4'	9'	21'	51'
8"	3'	6'	11'	27'	67'
10"	4'	7'	14'	32'	81'
12"	4'	8'	16'	38'	96'
16"	5'	10'	20'	48'	123'

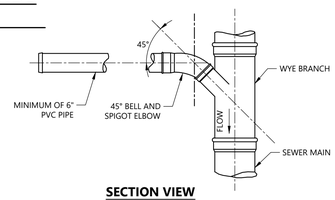
ASSUMED PARAMETERS:	
LAYING CONDITION	TYPE 5
SOIL DESIGNATION	SILT 1
DEPTH COVER	5 FT
DESIGN PRESSURE	200 PSI
SAFETY FACTOR	1.5

NOTES:

1. RESTRAINED JOINTS SHALL BE MECHANICAL JOINT OR PUSH-ON RESTRAINED JOINT AS SPECIFIED IN SECTION 33 14 11.01.

3 THRUST RESTRAINT

SCALE: NTS

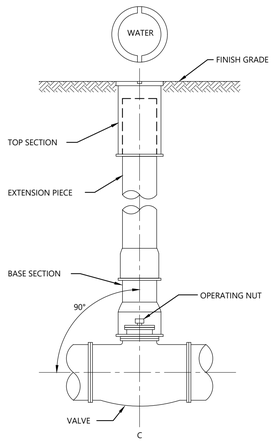


NOTES:

1. A 2" RIGID INSULATION WILL BE REQUIRED IN AREAS WHERE LESS THAN 4'-0" OF COVER OVER TOP OF PIPE OR WHERE REQUIRED BY ENGINEER.
2. MINIMUM SLOPE 1/4" PER FOOT UNLESS OTHERWISE DIRECTED.

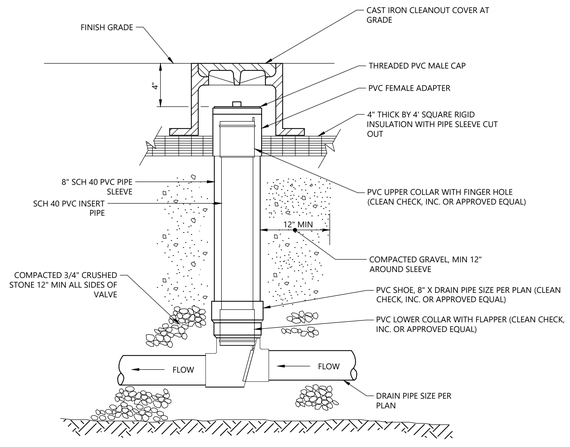
6 SANITARY SEWER SERVICE CONNECTION

SCALE: NTS



4 VALVE WITH VALVE BOX

SCALE: NTS

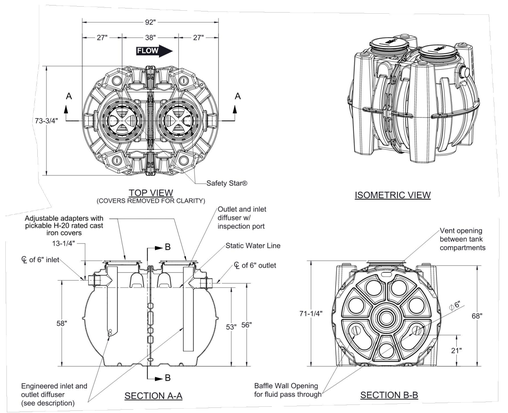


NOTES:

1. MATERIALS AND INSTALLATION PER MANUFACTURER'S INSTRUCTIONS.

5 BACKFLOW PREVENTER

SCALE: NTS



NOTES:

1. GREASE TRAP SHALL BE GB-1000 MODEL BY SCHIER, OR APPROVED EQUAL.
2. GREASE TRAP SHALL BE PROVIDED WITH RISERS AS NECESSARY TO ACCOMMODATE DEFINED INVERTS.
3. GREASE TRAP AND ASSOCIATED COVERS AND RISERS SHALL BE PROVIDED FOR H-20 LOADING.

7 GREASE INTERCEPTOR

SCALE: NTS

45 Union Street

45 Union Street, Portland, Maine

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No. 17568
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CIVIL DETAILS - 3

SHEET NUMBER

C-402

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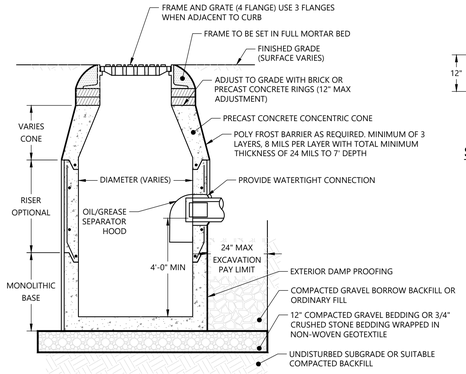
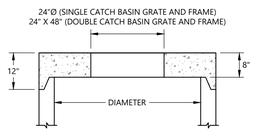


NOTES:

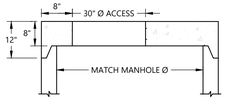
1. PRECAST CONCRETE STRUCTURES AND CASTINGS SHALL BE SUITABLE FOR HS-20 LOADINGS.
2. PRECAST CONCRETE STRUCTURES SHALL BE MANUFACTURED IN ACCORDANCE WITH ASTM C-478.
3. ALTERNATE TOP SLAB MAY BE USED AS DICTATED BY DESIGN AND/OR FIELD CONDITIONS.
4. JOINT SEALANT BETWEEN PRECAST SECTIONS SHALL BE BUTYL RUBBER.
5. DOUBLE CATCH BASIN FRAME AND GRATE SHALL BE INSTALLED ON A MINIMUM 5'-0" DIAMETER TOP SLAB.
6. PROVIDE MINIMUM 24" DIAMETER OPENING.
7. PROVIDE ANTIFLOATATION SLAB EXTENSION AS REQUIRED TO SATISFY ANTIFLOATATION REQUIREMENTS.

1 PRECAST CONCRETE CATCH BASIN

SCALE: NTS



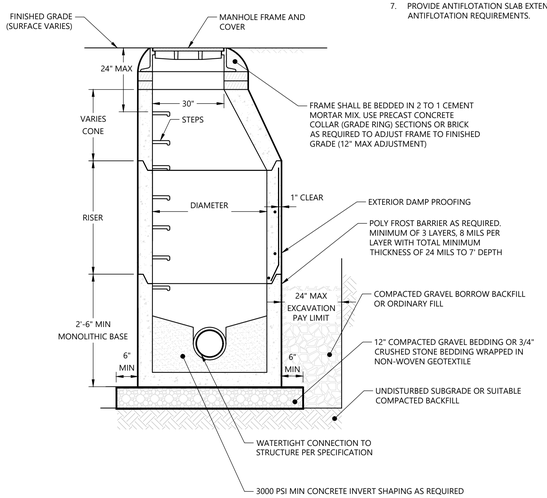
SHALLOW ALTERNATIVE TOP SLAB



SHALLOW ALTERNATE TOP SLAB

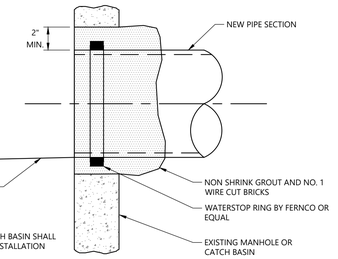
NOTES:

1. PRECAST CONCRETE STRUCTURES AND CASTINGS SHALL BE SUITABLE FOR HS-20 LOADINGS.
2. PRECAST CONCRETE STRUCTURES SHALL BE MANUFACTURED IN ACCORDANCE WITH ASTM C-478.
3. ALTERNATE TOP SLAB MAY BE USED AS DICTATED BY DESIGN AND/OR FIELD CONDITIONS.
4. MANHOLE FRAME AND GRATE(S) SHALL MEET MUNICIPAL AND STATE SPECIFICATIONS WHEN APPLICABLE.
5. REFER TO PROJECT SPECIFICATIONS FOR MORE DRAINAGE MANHOLE INFORMATION.
6. JOINT SEALANT BETWEEN SECTIONS SHALL BE BUTYL RUBBER.
7. PROVIDE ANTIFLOTATION SLAB EXTENSION AS REQUIRED TO SATISFY ANTIFLOTATION REQUIREMENTS.



5 PRECAST CONCRETE DRAINAGE MANHOLE

SCALE: NTS

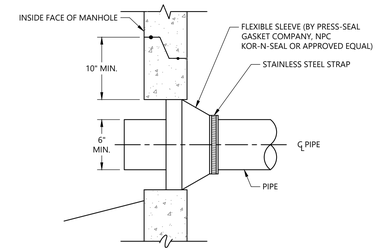


NOTE:

1. EXISTING MANHOLE OR CATCH BASIN SHALL BE CORE DRILLED FOR PIPE INSTALLATION

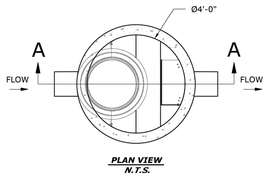
2 NEW PIPE TO EXISTING STRUCTURE

SCALE: NTS

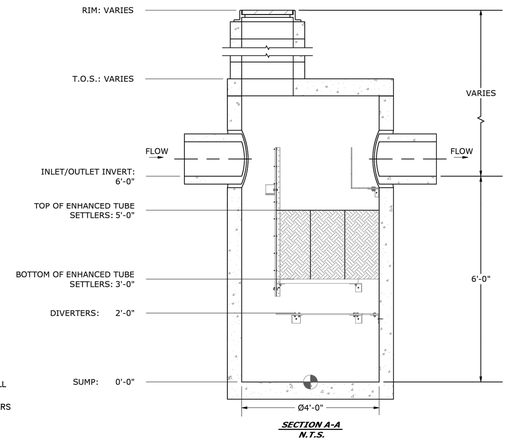


3 NEW PIPE TO NEW STRUCTURE CONNECTION

SCALE: NTS



PLAN VIEW
N.T.S.



SECTION A-A
N.T.S.

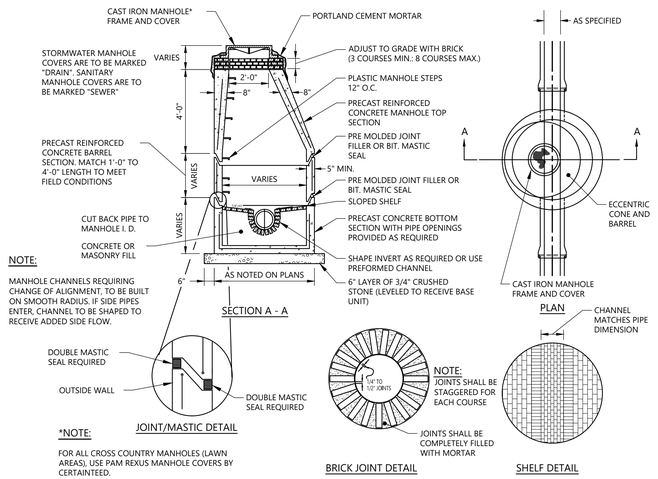
NOTE: PROVIDE STORMSETTLER BY STORMTRAP OR APPROVED EQUAL.

4 HYDRODYNAMIC SEPARATOR

SCALE: NTS

GENERAL NOTES:

1. CONCRETE COMPONENTS SHALL BE MANUFACTURED IN ACCORDANCE WITH ASTM C478.
2. CONTRACTOR TO INSTALL THE STRUCTURE IN ACCORDANCE WITH ASTM C1821.
3. CONTRACTOR TO PROVIDE ALL LABOR AND EQUIPMENT REQUIRED TO OFFLOAD AND INSTALL UNIT.
4. CONTRACTOR TO PROVIDE AND INSTALL ALL PIPES, FRAMES, COVERS, HATCHES, AND RISERS UNLESS SPECIFIED OTHERWISE.
5. CONTRACTOR TO ADD JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS.



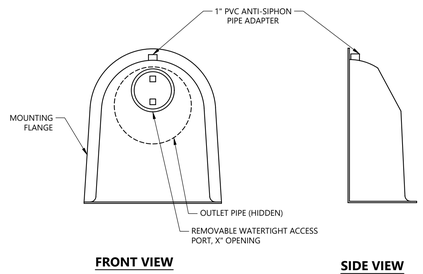
NOTE:
MANHOLE CHANNELS REQUIRING CHANGE OF ALIGNMENT, TO BE BUILT ON SMOOTH RADIUS. IF SIDE PIPES ENTER, CHANNEL TO BE SHAPED TO RECEIVE ADDED SIDE FLOW.

NOTE:
JOINTS SHALL BE STAGGERED FOR EACH COURSE

*NOTE:
FOR ALL CROSS COUNTRY MANHOLES (LAWN AREAS), USE PAM REXUS MANHOLE COVERS BY CERTAINTEED.

6 PRECAST CONCRETE MANHOLE

SCALE: NTS



FRONT VIEW

SIDE VIEW

NOTES:

1. ALL HOODS AND TRAPS FOR CATCH BASINS AND WATER QUALITY STRUCTURES SHALL BE AS MANUFACTURED BY COMPANY OR PRE-APPROVED EQUAL.
2. SEE MANUFACTURER SPECIFICATIONS FOR MATERIAL, DIMENSIONS AND OTHER REQUIREMENTS.
3. ALL HOODS SHALL BE EQUIPPED WITH A WATERTIGHT ACCESS PORT, A MOUNTING FLANGE, AND AN ANTI-SIPHON VENT PIPE AND ELBOW.
4. THE SIZE AND POSITION OF THE HOOD SHALL BE DETERMINED BY OUTLET PIPE SIZE AS PER MANUFACTURER'S RECOMMENDATION (SNOUT SIZE ALWAYS LARGER THAN PIPE SIZE).
5. THE SURFACE OF THE STRUCTURE WHERE THE HOOD IS MOUNTED SHALL BE FINISHED SMOOTH AND FREE OF LOOSE MATERIAL AND PIPE SHALL BE FINISHED FLUSH TO WALL.
6. THE HOOD SHALL BE SECURELY ATTACHED TO STRUCTURE WALL WIN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
7. INSTALLATION INSTRUCTIONS SHALL BE FURNISHED WITH MANUFACTURER SUPPLIED INSTALLATION KIT. INSTALLATION KIT SHALL INCLUDE: INSTALLATION INSTRUCTIONS, PVC ANTI-SIPHON VENT PIPE AND ADAPTER, OIL-RESISTANT CRUSHED CELL FOAM GASKET WITH PSA BACKING, 3/8" STAINLESS STEEL BOLTS, AND ANCHOR SHIELDS.

CONFIGURATION DETAIL	
PIPE SIZE (I.D.)	**SNOUT MODEL REQUIRED**
12"	18R
15"	18R
18"	24R
24"	30R
30"	54R
36"	54R
42"	72F
48"	72F
54"	96F
60"	96F
66"	96F

F = SQUARE STRUCTURE
R = CIRCULAR STRUCTURE

7 SNOUT OIL-WATER-DEBRIS SEPARATOR

SCALE: NTS

3/19/2025 9:54:17 AM

45 Union Street

45 Union Street, Portland, Maine

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STATE OF MAINE
CAITLIN G. SUHR
No. 17568
LICENSED
PROFESSIONAL ENGINEER

KEY PLAN



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1083.00	BCM
DATE	CHECKED BY
AUGUST 2025	CS

PHASE

ISSUED FOR SITE PLAN APPROVAL

SCALE

AS NOTED

DRAWING TITLE

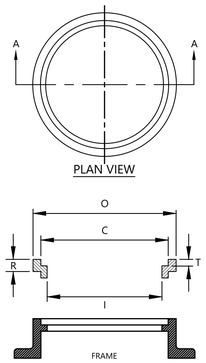
CIVIL DETAILS - 4

SHEET NUMBER

C-403

GENERAL NOTES FOR MANHOLES AND CATCH BASINS

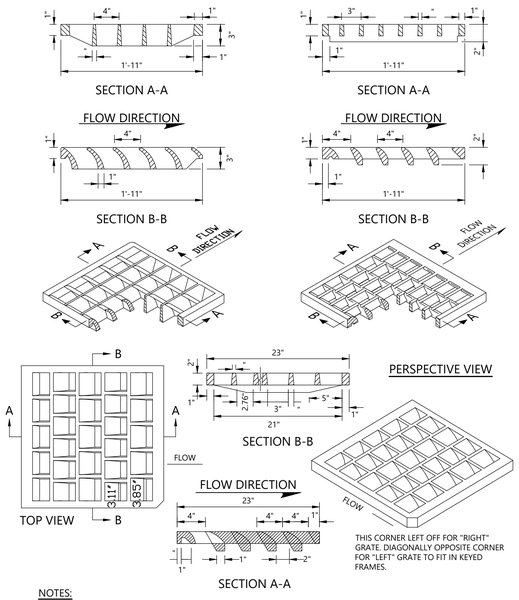
1. ALL CONCRETE SHALL BE CLASS "A" AND HAVE A MINIMUM ULTIMATE COMPRESSIVE STRENGTH OF 4000 LBS. PER SQ. INCH AT THE END OF 28 DAYS, UNLESS OTHERWISE NOTED.
2. PRECAST REINFORCED CONE BARREL MANUFACTURED PER ASTM SPEC. C-478.
3. ALL MANHOLES SHALL HAVE A BITUMINOUS WATERPROOFING APPLIED TO THE EXTERIOR SURFACE. IF CONSTRUCTED OF BRICK MASONRY, SURFACE SHALL BE PLASTERED WITH A SMOOTH MORTAR FINISH 3/8" THICK. AFTER THE MORTAR HAS SET, THE SURFACE SHALL BE WATERPROOFED AS REQUIRED BY SUPPLEMENTAL SPECIFICATIONS SECTION 604.
4. CASTINGS SHALL CONFORM TO ASTM DESIGNATION A48-CLASS 35. ALL PARTS OF CASTINGS, EXCEPT FINISHED SURFACE, SHALL RECEIVE A COAT OF COAL TAR PITCH VARNISH OR ASPHALTUM PAINT WHICH SHALL BE SMOOTH AND TOUGH BUT NOT BRITTLE.
5. MANHOLES MAY BE CONSTRUCTED OF MASONRY, PRECAST REINFORCED CONCRETE, OR CAST IN PLACE.
6. CONTRACTOR SHALL SUBMIT ANTIFLOATATION CALCULATIONS FOR ALL MANHOLE AND CATCH BASIN STRUCTURES.
7. ALL PRECAST MANHOLES AND CATCH BASINS SHALL BE IDENTIFIED BY STATION, OFFSET, AND STRUCTURE ID PAINTED ON THE SIDE OF THE STRUCTURE BY THE MANUFACTURER.
8. STORM AND SEWER MANHOLES SHALL HAVE SOLID COVERS WITH ONE DRILLED PICK HOLE.
9. EXISTING MANHOLES, CATCH BASINS, FRAMES, AND COVERS WITHIN CITY RIGHT-OF-WAY SHALL BE SALVAGED BY THE CONTRACTOR, AND SHALL REMAIN THE PROPERTY OF THE CITY OF PORTLAND.
10. WHEN THE FLOW CHANGES DIRECTION IN A MANHOLE, THE CHANNEL ALIGNMENT SHALL FOLLOW A SMOOTH RADIUS. CHANNELS SHALL BE FORMED TO ACCEPT ALL INLET PIPES.
11. ON STORM AND SEWER MANHOLES, THE SHELF AND CHANNEL SHALL BE FORMED BY BRICK SET IN CEMENT MORTAR OR BY FACTORY PRE-CAST CONCRETE. SUCH PRE-CAST CONCRETE SHALL BE EPOXY COATED AND THE SHELF SHALL HAVE A PERMANENT NON-SKID SURFACE.



SIZE	C	R	T	O	I	Wt.
R241 1/2	24	1 1/2	1 1/8	26 1/4	22 1/2	60
R242	24	2	1 1/8	26 1/4	22 1/2	80
R242 1/2	24	2 1/2	1 1/8	26 1/4	22	100
R243	24	3	1 1/8	26 1/4	22	120

1 MANHOLE RISER RING

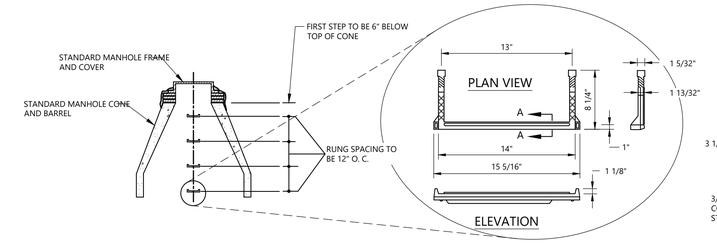
SCALE: NTS



NOTES:
TO BE USED WHERE PARALLEL BAR GRATES WOULD PRESENT A HAZARD TO BICYCLE TRAFFIC. FOR USE ON CATCH BASIN TYPES: A1-C, A2-C, A5-C, B1-C, B2-C, B5-C, F3-C, F4-C, F5-C, F6-C.

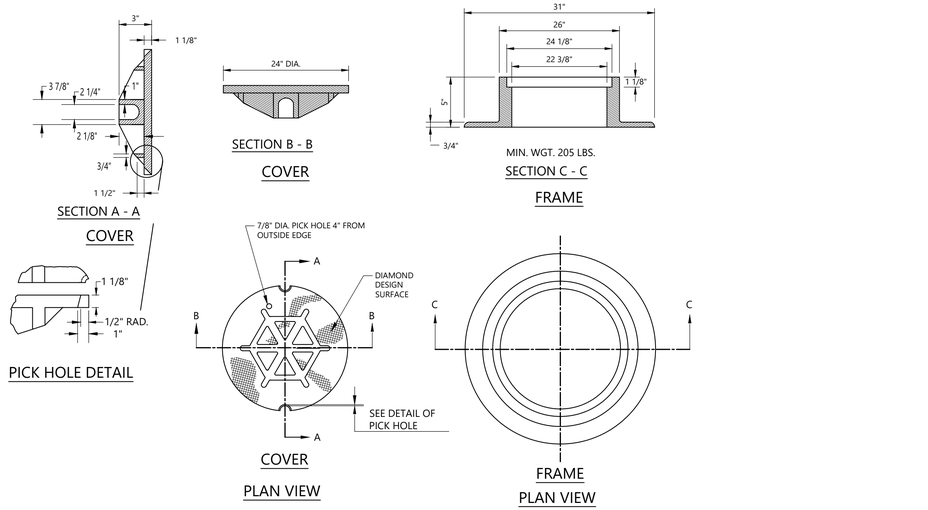
2 "CASCADE"-TYPE GRATES

SCALE: NTS



3 PLASTIC MANHOLE STEPS

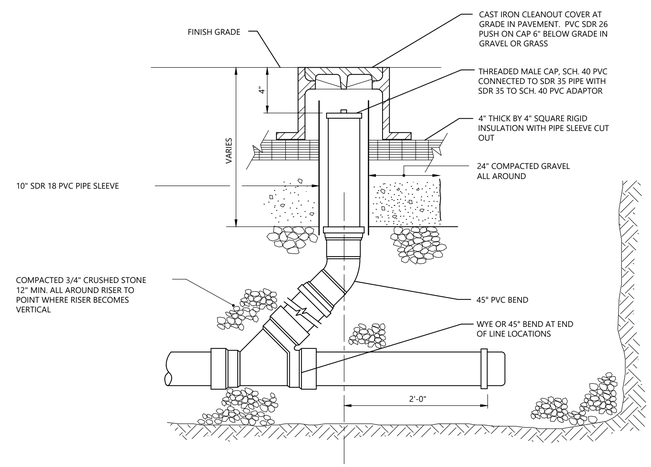
SCALE: NTS



NOTE:
FOR ALL CROSS COUNTRY MANHOLES (LAWN AREAS), USE PAM REXUS MANHOLE COVERS BY CERTAINTEED.

4 TYPE "A" CAST IRON MANHOLE COVER AND FRAME

SCALE: NTS



5 CLEANOUT

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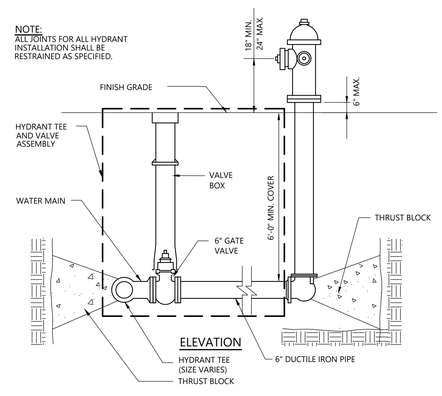

6 HYDRANT ASSEMBLY

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STATE OF MAINE
CAITLIN G. SUHR
No. 17568
LICENSED
PROFESSIONAL ENGINEER

KEY PLAN

NOTES
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PROJECT NUMBER	DRAWN BY
1083.00	BCM
DATE	CHECKED BY
AUGUST 2025	CS

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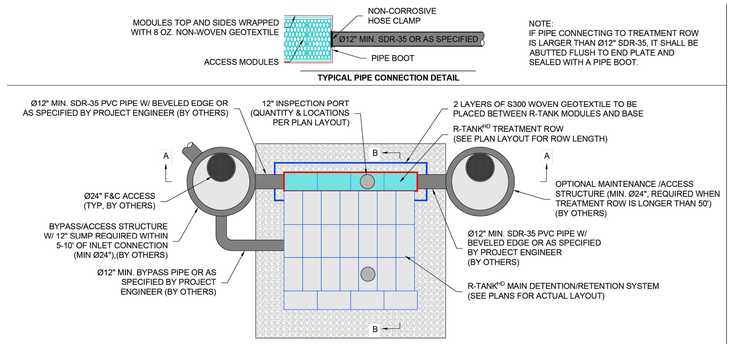
CIVIL DETAILS -5

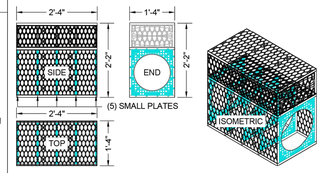
SHEET NUMBER
C-404

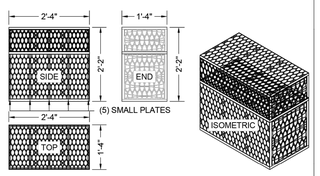


NOTE:
IF PIPE CONNECTING TO TREATMENT ROW IS LARGER THAN Ø12" SDR-35, IT SHALL BE ABUTTED FLUSH TO END PLATE AND SEALED WITH A PIPE BOOT.

TYPICAL PIPE CONNECTION DETAIL

R-TANKHD TREATMENT ROW WITH PRECAST INLET/ACCESS STRUCTURE



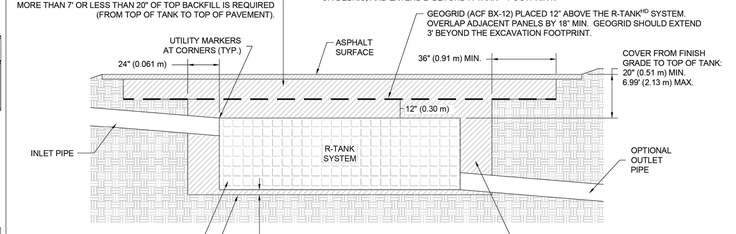


MODULE DATA

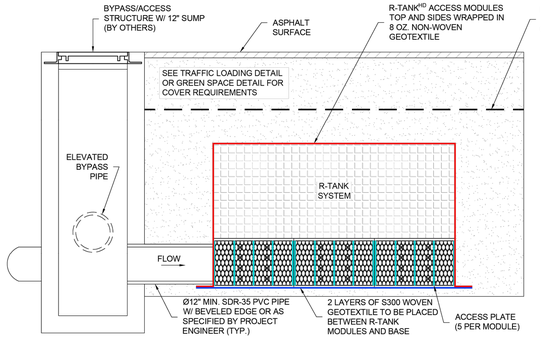
GEOMETRY:	**LOAD RATING:**
LENGTH = 28.15 IN. (715 MM)	33.4 PSI. (MODULE ONLY)
WIDTH = 15.75 IN. (400 MM)	HS20/HS25 - SEE SPEC FOR
HEIGHT = 25.98 IN. (660 MM)	COVER REQUIREMENTS
TANK VOLUME = 6.67 CF	**MATERIAL:**
STORAGE VOLUME = 6.33 CF	100% RECYCLED POLYPROPYLENE
VOID INTERNAL VOLUME: 95%	**SMALL PLATES REQUIRED:**
VOID SURFACE AREA: 90%	5/SEGMENT, 10/MODULE

TOTAL COVER: 20" MINIMUM AND 84" MAXIMUM. FIRST 12" MUST BE FREE DRAINING BACKFILL (SPEC SECTION 2.03B): STONE <1.5" OR SOIL (USCS CLASS GW, GP, SW OR SP). ADDITIONAL FILL MAY BE STRUCTURAL FILL (SPEC SECTION 2.03C): STONE OR SOIL (USCS CLASS SM, SP, SW, GM, GP OR GW) WITH MAX CLAY CONTENT<10%, MAX 25% PASSING NO. 200 SIEVE, AND MAX PLASTICITY INDEX OF 4. A MIN. 12" COVER MUST BE MAINTAINED BETWEEN BACKFILL EQUIPMENT AND THE TOP OF THE R-TANK™ SYSTEM AT ALL TIMES. TOTAL HEIGHT OF TOP BACKFILL SHOULD NOT EXCEED 7'. CONTACT FERGUSON WATERWORKS IF MORE THAN 7' OR LESS THAN 20" OF TOP BACKFILL IS REQUIRED (FROM TOP OF TANK TO TOP OF PAVEMENT).

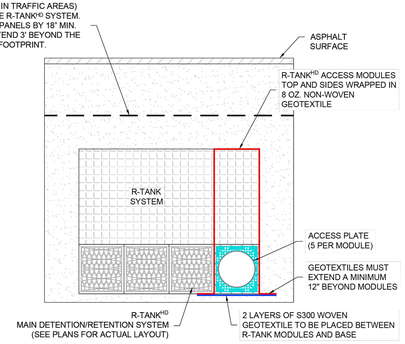
NOTES:
1. FOR COMPLETE MODULE DATA, SEE APPROPRIATE R-TANK^{HD} MODULE SHEET .
2. INSTALLATIONS PER THIS DETAIL MEET GUIDELINES OF HL-93 LOADING PER THE AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, CUSTOMARY U.S. UNITS, 7TH EDITION, 2014 WITH 2015 AND 2016 INTERIM REVISIONS.
3. PRE-TREATMENT STRUCTURES NOT SHOWN.
4. FOR INFILTRATION APPLICATIONS, GEOTEXTILE ENVELOPING R-TANK SHALL BE ACF M200 (PER SPEC SECTION 2.02A) AND BASE SHALL BE 4" MIN. UNCOMPACTED FREE DRAINING BACKFILL (SPEC SECTION 2.03A) TO PROVIDE A LEVEL BASE. SURFACE MUST BE SMOOTH, FREE OF LUMPS OR DEBRIS, AND EXTEND 2' BEYOND R-TANK^{HD} FOOTPRINT.



R-TANKHD & HS-20 LOADS - SECTION VIEW



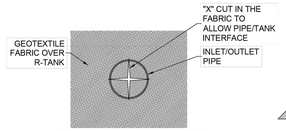
R-TANKHD TREATMENT ROW SECTION A-A



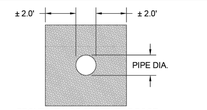
R-TANKHD TREATMENT ROW SECTION B-B

NOTE:
- PIPE BOOTS ARE AVAILABLE IN THE FOLLOWING STANDARD SIZES: 8" | 12" | 15" | 18" | 24".
- LARGER SPECIAL ORDER, CUSTOM SIZES ARE AVAILABLE.

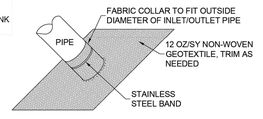
CUT AN "X" IN THE FABRIC ENVELOPE THAT IS SLIGHTLY LARGER THAN THE PIPE. PULL THE FABRIC FLAPS AROUND THE PIPE, AND SEAL WITH A STAINLESS STEEL BAND.



END VIEW OF PIPE/FABRIC CONNECTION

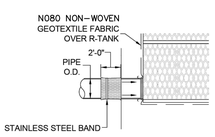


FRONT VIEW OF GEOTEXTILE BOOT

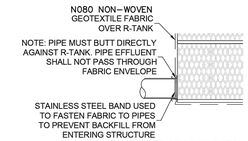


GEOTEXTILE BOOT

AFTER TANK WRAP IS SECURED TO PIPE, SLIDE BOOT AGAINST R-TANK AND SECURE WITH SECOND STAINLESS STEEL BAND, THEN ATTACH BOOT FLAP TO TANK ENVELOPE FABRIC WITH DUCT TAPE OR OTHER ADHESIVE.

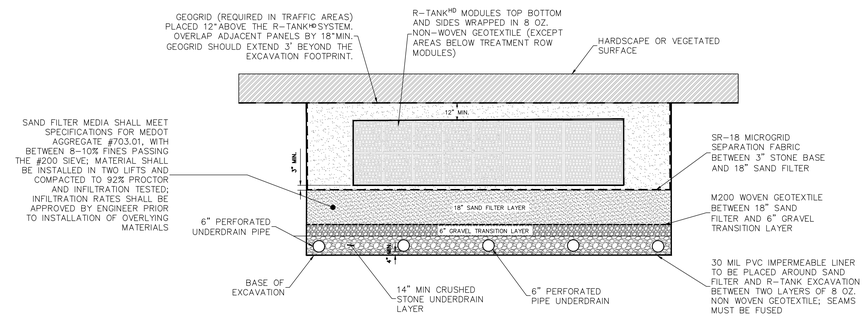


SIDE VIEW OF GEOTEXTILE BOOT



SIDE VIEW OF PIPE/FABRIC CONNECTION

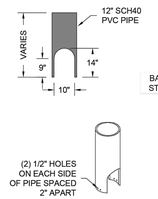
R-TANK TYPICAL TANK INLET/OUTLET W/ GEOTEXTILE PIPE BOOT DETAIL

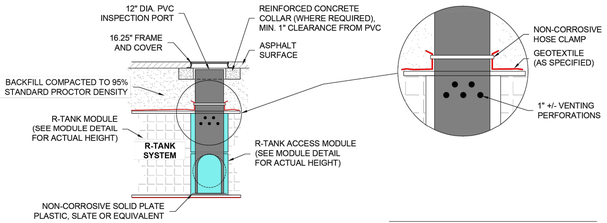


NOTE:
1. SAND FILTER MEDIA SHALL MEET SPECIFICATIONS FOR MEDOT AGGREGATE #703.01, WITH BETWEEN 8-10% FINES PASSING THE #200 SIEVE; MATERIAL SHALL BE INSTALLED IN TWO LIFTS AND COMPACTED TO 92% PROCTOR AND INFILTRATION TESTED; INFILTRATION RATES SHALL BE APPROVED BY ENGINEER PRIOR TO INSTALLATION OF OVERLYING MATERIALS

1 SUBSURFACE SAND FILTER SECTION
SCALE: NTS

NOTES
1. THE INSPECTION PORT IS USED IN THE ACCESS MODULE TO INSPECT THE LEVEL OF SEDIMENT ACCUMULATION.
2. MINIMUM REQUIRED MAINTENANCE INCLUDES A QUARTERLY INSPECTION DURING THE FIRST YEAR OF OPERATION AND A YEARLY INSPECTION THEREAFTER. FLUSH AS NEEDED.
3. R-TANKHD, R-TANKXD, R-TANKHD AND R-TANKXD MAY BE USED IN TRAFFIC APPLICATIONS.
4. SEE TRAFFIC LOADING DETAIL FOR MINIMUM & MAXIMUM COVER REQUIREMENTS.
5. IF INSPECTION PORT IS LOCATED IN A NON-TRAFFIC AREA, A PLASTIC CAP CAN BE USED IN LIEU OF A FRAME AND COVER WITH CONCRETE COLLAR.





R-TANK TYPICAL INSPECTION PORT

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STATE OF MAINE
CAITLIN G. SUHR
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KEY PLAN



NOTES

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DATE	CHECKED BY
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CIVIL DETAILS - 6

SHEET NUMBER
C-405

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R-TANK SPECIFICATION

PART 1 - GENERAL

1.01 RELATED DOCUMENTS

A. Drawings, technical specification and general provisions of the Contract as modified herein apply to this section.

1.02 DESCRIPTION OF WORK INCLUDED

A. Provide excavation and base preparation per geotechnical engineer's recommendations and/or as shown on the design drawings, to provide adequate support for project design loads and safety from excavation sidewall collapse. Excavations shall be in accordance with the owner's and OSHA requirements.

B. Provide and install R-Tank(LD, R-TankHD, R-TankSD, or R-TankUD) system (hereafter called R-Tank) and all related products including fill materials, geotextiles, geogrids, inlet and outlet pipe with connections per the manufacturer's installation guidelines provided in this section.

C. Provide and construct the cover of the R-Tank system including; stone backfill, structural fill cover, and pavement section as specified.

D. Protect R-Tank system from construction traffic after installation until completion of all construction activity in the installation area.

1.03 QUALITY CONTROL

A. All materials shall be manufactured in ISO certified facilities.

B. Installation Contractor shall demonstrate the following experience:
   1. A minimum of three R-Tank or equivalent projects completed within 2 years; and,
   2. A minimum of 25,000 cubic feet of storage volume completed within 2 years.
   3. Contractor experience requirement may be waived if the manufacturer's representative provides on-site training and review during construction.

C. Installation Personnel: Performed only by skilled workers with satisfactory record of performance on bulk earthworks, pipe, chamber, or pond/landfill construction projects of comparable size and quality.

D. Contractor must have manufacturer's representative available for site review if requested by Owner.

1.04 SUBMITTALS

A. Submit proposed R-Tank layout drawings. Drawings shall include typical section details as well as the required base elevation of stone and tanks, minimum cover requirements and tank configuration.

B. Submit manufacturer's product data, including compressive strength and unit weight.

C. Submit manufacturer's installation instructions.

D. Submit R-Tank sample for review. Reviewed and accepted samples will be returned to the Contractor.

E. Submit material certificates for geotextile, geogrid, base course and backfill materials.

F. Submit required experience and personnel requirements as specified in Section 1.03.

G. Any proposed equal alternate or product substitution to this specification must be submitted for review and approved prior to bid opening. Review package should include third party reviewed performance data that meets or exceeds criteria in Table 2.01 B.

1.05 DELIVERY, STORAGE, AND HANDLING

A. Protect R-Tank and other materials from damage during delivery, and store UV sensitive materials under tarp to protect from sunlight when time from delivery to installation exceeds two weeks. Storage of materials should be on smooth surfaces, free from dirt, mud and debris.

B. Handling is to be performed with equipment appropriate to the materials and site conditions, and may include hand, handcart, forklifts, extension lifts, etc.

C. Cold weather:
   1. Care must be taken when handling plastics when air temperature is 40 degrees or below as plastic becomes brittle.
   2. Do not use frozen materials or materials mixed or coated with ice or frost.
   3. Do not build on frozen ground or wet, saturated or muddy subgrade.

1.06 PREINSTALLATION CONFERENCE.

A. Prior to the start of the installation, a preinstallation conference shall occur with the representatives from the design team, the general contractor, the excavation contractor, the R-Tank installation contractor, and the manufacturer's representative.

1.07 PROJECT CONDITIONS

A. Coordinate installation for the R-Tank system with other on-site activities to eliminate all non-installation related construction traffic over the completed R-Tank system. No loads heavier than the design loads shall be allowed over the system, and in no case shall loads higher than a standard AASHTO HS20 (or HS25, depending on design criteria) load be allowed on the system at any time.

B. Protect adjacent work from damage during R-Tank system installation.

C. All pre-treatment systems to remove debris and heavy sediments must be in place and functional prior to operation of the R-Tank system. Additional pretreatment measures may be needed if unit is operational during construction due to increased sediment loads.

D. Contractor is responsible for any damage to the system during construction.

PART 2 - PRODUCTS

2.01 R-TANK UNITS

A. R-Tank - Injection molded plastic tank plates assembled to form a 95% void modular structure of predesigned height (custom for each project).

B. R-Tank units shall meet the following Physical & Chemical Characteristics:

PROPERTY	DESCRIPTION	R-Tank[LD] VALUE	R-Tank[HD] VALUE	R-Tank[SD] VALUE	R-Tank[UD] VALUE
Void Area	Volume available for water storage	95%	95%	95%	95%
Surface Void Area	Percentage of exterior available for infiltration	90%	90%	90%	90%
Vertical Compressive Strength	ASTM D 2412 / ASTM F 2418	30.0 psi	33.4 psi	42.9 psi	134.2 psi
Lateral Compressive Strength	ASTM D 2412 / ASTM F 2418	20.0 psi	22.4 psi	28.9 psi	N/A
HS-20 Minimum Cover	Cover required to support HS-20 loads	N/A	20"	18"	12" (STONE BACKFILL)
HS-25 Minimum Cover	Cover required to support HS-25 loads	N/A	24"	19"	15" (STONE BACKFILL)
Maximum Cover	Maximum allowable cover depth	3 feet	< 7 feet	< 10 feet	5 feet
Unit Weight	Weight of plastic per cubic foot of tank	3.29 lbs / cf	3.62 lbs/cf	3.96 lbs / cf	4.33 lbs / cf
Rib Thickness	Thickness of load-bearing members	0.18 inches	0.18 inches	0.18 inches	N/A
Service Temperature	Safe temperature range for use	-14 – 167° F	-14 – 167° F	-14 – 167° F	-14 – 167° F

C. Supplier: Ferguson Waterworks 2831 Cardwell Road Richmond, VA 23234 (T): 800-448-3636; (F): 804-743-7779 www.ferguson.com

2.02 GEOSYNTHETICS

A. Geotextile. A geotextile envelope is required to prevent backfill material from entering the R-Tank modules.
   1. Standard Application: The standard geotextile shall be an 8 oz per square yard nonwoven geotextile (ACF N080 or equivalent).
   2. Infiltration Applications: When water must infiltrate/exfiltrate through the geotextile as a function of the system design, a woven monofilament (ACF M200 or equivalent) shall be used.

B. Geogrid. For installations subject to traffic loads and/or when required by project plans, install geogrid (ACF BX12 or equivalent) to reinforce backfill above the R-Tank system. Geogrid is not always required for R-TankUD installations, and is often not required for non-traffic load applications.

2.03 BACKFILL & COVER MATERIALS

A. Bedding Materials: Stone (angular and smaller than 1.5" in diameter) or soil (GW, GP, SW, or SP as classified by the Unified Soil Classification System) shall be used below the R-Tank system (3" minimum). Material must be free from lumps, debris, and any sharp objects that could cut the geotextile. Material shall be within 3 percent of the optimum moisture content as determined by ASTM D698 at the time of installation. For infiltration applications bedding material shall be free draining.

B. Side and Top Backfill: Material must be free from lumps, debris and any sharp objects that could cut the geotextile. Material shall be within 3 percent of the optimum moisture content as determined by ASTM D698 at the time of installation.
   1. Traffic Applications - Free draining material shall be used adjacent to (24" minimum) and above (for the first 12") the R-Tank system.
      a. For HD, and SD modules, backfill materials shall be free draining stone (angular and smaller than 1.5" in diameter) or soil (GW, GP, SW, or SP as classified by the Unified Soil Classification System).
      b. For UD modules with less than 14" of top cover, backfill materials shall be free draining stone (angular and smaller than 1.5" in diameter). The use of soil backfill on the sides and top of the UD module is not permitted unless the modules are installed outside of traffic areas or with cover depths of 14" or more. Top backfill material (from top of module to bottom of pavement base or 12" maximum) must be consistent with side backfill.
   2. Non-Traffic / Green Space Applications - For all R-Tank modules installed in green spaces and not subjected to vehicular loads, backfill materials may either follow the guidelines for Traffic Applications above, or the top backfill layer (12" minimum) may consist of AASHTO #57 stone blended with 30-40% (by volume) topsoil to aid in establishing vegetation.

C. Additional Cover Materials: Structural Fill shall consist of granular materials meeting the gradational requirements of SM, SP, SW, GM, GP or GW as classified by the Unified Soil Classification System. Structural fill shall have a maximum of 25 percent passing the No. 200 sieve, shall have a maximum clay content of 10 percent and a maximum Plasticity Index of 4. Material shall be within 3 percent of the optimum moisture content as determined by ASTM D698 at the time of installation.

2.04 OTHER MATERIALS

A. Utility Marker: Install metallic tape at corners of R-Tank system to mark the area for future utility detection.

PART 3 - EXECUTION

3.01 ASSEMBLY OF R-TANK UNITS

A. Assembly of modules shall be performed in accordance with the R-Tank Installation Manual, Section 2.

3.02 LAYOUT AND EXCAVATION

A. Installer shall stake out, excavate, and prepare the subgrade area to the required plan grades and dimensions, ensuring that the excavation is at least 2 feet greater than R-Tank dimensions in each direction allowing for installation of geotextile filter fabric, R-Tank modules, and free draining backfill materials.

B. All excavations must be prepared with OSHA approved excavated sides and sufficient working space.

C. Protect partially completed installation against damage from other construction traffic by establishing a perimeter with high visibility construction tape, fencing, barricades, or other means until construction is complete.

D. Base of the excavation shall be uniform, level, and free of lumps or debris and soft or yielding subgrade areas. A minimum 2,000 pounds per square foot bearing capacity is required.
   1. Standard Applications: Compact subgrade to a minimum of 95% of Standard Proctor (ASTM D698) density or as required by the Owner's engineer.
   2. Infiltration Applications: Subgrade shall be prepared in accordance with the contract documents. Compaction of subgrade should not be performed in infiltration applications.

E. Unsuitable Soils or Conditions: All questions about the base of the excavation shall be directed to the owner's engineer, who will approve the subgrade conditions prior to placement of stone. The owner's engineer shall determine the required bearing capacity of the R-Tank subgrade; however in no case shall a bearing capacity of less than 2,000 pounds per square foot be provided.
   1. If unsuitable soils are encountered at the subgrade, or if the subgrade is pumping or appears excessively soft, repair the area in accordance with contract documents and/or as directed by the owner's engineer.
   2. If indications of the water table are observed during excavation, the engineer shall be contacted to provide recommendations.
   3. Do not start installation of the R-Tank system until unsatisfactory subgrade conditions are corrected and the subgrade conditions are accepted by the owner's engineer.

3.03 PREPARATION OF BASE

A. Place a thin layer (3" unless otherwise specified) of bedding material (Section 2.03 A), over the subgrade to establish a level working platform for the R-Tank modules. Level to within ½" (+/- ¼") or as shown on the plans. Native subgrade soils or other materials may be used if determined to meet the requirements of 2.03 A and are accepted by the owner's engineer.
   1. Standard Applications: Static roll or otherwise compact bedding materials until they are firm and unyielding.
   2. Infiltration Applications: Bedding materials shall be prepared in accordance with the contract documents.

B. Outline the footprint of the R-Tank system on the excavation floor using spray paint or chalk line to ensure a 2' perimeter is available around the R-Tank system for proper installation and compaction of backfill.

3.04 INSTALLATION OF THE R-TANKS

A. Where a geotextile wrap is specified on the stone base, cut strips to length and install in excavation, removing wrinkles so material lays flat. Overlap geotextile a minimum 12" or as recommended by manufacturer. Use tape, special adhesives, sandbags or other ballast to secure overlaps. As geotextiles can be damaged by extreme heat, smoking is not permissible on/near the geotextile, and tools using a flame to tack the overlaps, such as propane torches, are prohibited.

B. Where an impervious liner (for containment) is specified, install the liner per manufacturer's recommendations and the contract documents. The R-Tank units shall be separated from impervious liner by a non-woven geotextile fabric installed accordance with Section 3.04A.

C. Install R-Tank modules by placing side by side, in accordance with the design drawings. No lateral connections are required. It is advisable to use a string line to form square corners and straight edges along the perimeter of the R-Tank system. The modules are to be oriented as per the design drawing with required depth as shown on plans.
   1. For LD, HD, and SD installations, the large side plate of the tank should be placed on the perimeter of the system. This will typically require that the two ends of the tank area will have a row of tanks placed perpendicular to all other tanks. If this is not shown in the construction drawings, it is a simple field adjustment that will have minimal effect on the overall system footprint. Refer to R-Tank Installation Guide for more details
   2. For UD installations, there is no perpendicular end row required.

D. Wrap the R-Tank top and sides in specified geotextile. Cut strips of geotextile so that it will cover the sides and top, encapsulating the entire system to prevent backfill entry into the system. Overlap geotextile 12" or as recommended by manufacturer. Take great care to avoid damage to geotextile (and, if specified, impervious liner) during placement.

E. Identify locations of inlet, outlet and any other penetrations of the geotextile (and optional liner). These connections should be installed flush (butted up to the R-Tank) and the geotextile fabric shall be cut to enable hydraulic continuity between the connections and the R-Tank units. These connections shall be secured using pipe boots with stainless steel pipe clamps. Support pipe in trenches during backfill operations to prevent pipe from settling and damaging the geotextile, impervious liner (if specified) or pipe. Connecting pipes at 90 degree angles facilitates construction, unless otherwise specified. Ensure end of pipe is installed snug against R-Tank system.

F. Install Inspection and Maintenance Ports in locations noted on plans. At a minimum one maintenance port shall be installed within 10' of each inlet & outlet connection, and with a maximum spacing of one maintenance port for every 2,500 square feet. Install all ports as noted in the R-Tank Installation Guide.

G. If required, install ventilation pipes and vents as specified on drawings to provide ventilation for proper hydraulic performance. The number of pipes and vents will depend on the size of the system. Vents are often installed using a 90 degree elbow with PVC pipe into a landscaped area with "U" bend or venting bollard to inhibit the ingress of debris. A ground level concrete or steel cover can be used.

3.05 BACKFILLING OF THE R-TANK UNITS

A. Backfill and fill with recommended materials as follows:
   1. Place freely draining backfill materials (Section 2.03 B) around the perimeter in lifts with a maximum thickness of 12". Each lift shall be placed around the entire perimeter such that each lift is no more than 24" higher than the side backfill along any other location on the perimeter of the R-Tank system. No fill shall be placed over top of tanks until the side backfill has been completed.
   2. Each lift shall be compacted at the specified moisture content to a minimum of 95% of the Standard Proctor Density until no further densification is observed (for self-compacting stone materials). The side lifts must be compacted with walk behind compaction equipment. Even when "self-compacting" backfill materials are selected, a walk behind vibratory compactor must be used.
   3. Take care to ensure that the compaction process does not allow the machinery to come into contact with the modules due to the potential for damage to the geotextile and R-Tank units.
   4. No compaction equipment is permissible to operate directly on the R-Tank modules.
   5. Top Backfill: Only low pressure track vehicles shall be operated over the R-Tank system during construction. Dump Trucks and Pans shall not be operated within the R-Tank system footprint at any time. Heavy equipment should unload in an area adjacent to the R-Tank system and the material should be moved over the system using tracked equipment with an operating weight of less than 10 tons.
      a. Typical Applications: Install a 12" (or as shown on plans) lift of freely draining material (Section 2.03 B) over the R-Tank Units, maintaining 12" between equipment tracks and R-Tank System. Lightly compacted using a walk-behind trench roller. Alternately, a roller (maximum gross vehicle weight of 6 tons) may be used. Roller must remain in static mode until a minimum of 24" of cover has been placed over the modules. Sheep foot rollers should not be used.
      b. Shallow Applications (< 18" total cover): Install top backfill in accordance with plans.
   6. If required, install a geogrid as shown on plans. Geogrid shall extend a minimum of 3 feet beyond the limits of the excavation wall.
   7. Following placement and compaction of the initial cover, subsequent lifts of structural fill (Section 2.03 C) shall be placed at the specified moisture content and compacted to a minimum of 95% of the Standard Proctor Density and shall cover the entire footprint of the R-Tank system. During placement of fill above the system, unless otherwise specified, a uniform elevation of fill shall be maintained to within 12" across the footprint of the R-Tank system. Do not exceed maximum cover depths listed in Table 2.01 B.
   8. Place additional layers of geotextile and/or geogrid at elevations as specified in the design details. Each layer of geosynthetic reinforcement placed above the R-Tank system shall extend a minimum of 3 feet beyond the limits of the excavation wall.

B. Ensure that all unrelated construction traffic is kept away from the limits of excavation until the project is complete and final surface materials are in place. No non-installation related loading should be allowed over the R-Tank system until the final design section has been constructed (including pavement).

C. Place surfacing materials, such as groundcovers (no large trees), or paving materials over the structure with care to avoid displacement of cover fill and damage to surrounding areas.

D. Backfill depth over R-Tank system must be within the limitations shown in the table in Section 2.01 B. If the total backfill depth does not comply with this table, contact engineer or manufacturer's representative for assistance.

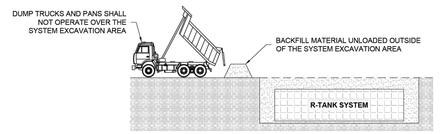
3.06 MAINTENANCE REQUIREMENTS

A. A routine maintenance effort is required to ensure proper performance of the R-Tank system. The Maintenance program should be focused on pretreatment systems. Ensuring these structures are clean and functioning properly will reduce the risk of contamination of the R-Tank system and stormwater released from the site. Pre-treatment systems shall be inspected yearly, or as directed by the regulatory agency and by the manufacturer (for proprietary systems). Maintain as needed using acceptable practices or following manufacturer's guidelines (for proprietary systems).

B. All inlet pipes and Inspection and/or Maintenance Ports in the R-Tank system will need to be inspected for accumulation of sediments at least quarterly through the first year of operation and at least yearly thereafter.

C. If sediment has accumulated to the level noted in the R-Tank Maintenance Guide or beyond a level acceptable to the Owner's engineer, the R-Tank system should be flushed.

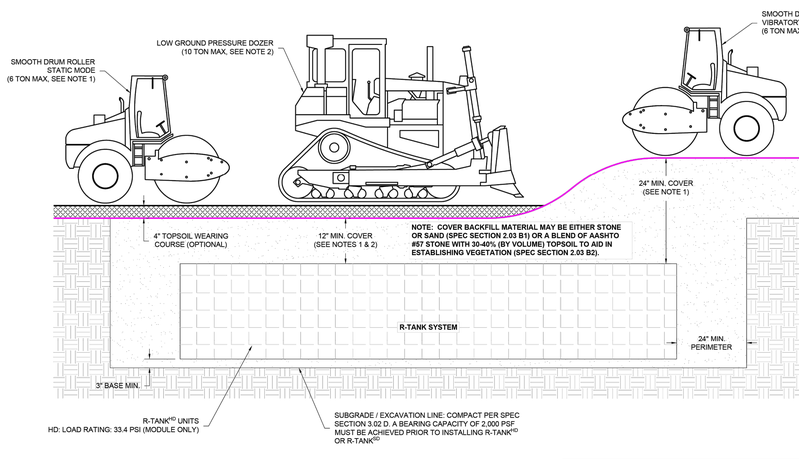
D. All inspection and maintenance activities should be performed in accordance with the R-Tank Operation, Inspection & Maintenance Manual.



DUMP TRUCK DETAIL (SEE NOTE 3)

NOTES:

1. FOLLOWING PLACEMENT OF SIDE BACKFILL, A UNIFORM 12" LIFT OF THE FREELY DRAINING MATERIAL (SPEC SECTION 2.03 B2) SHALL BE PLACED OVER THE R-TANK AND LIGHTLY COMPACTED USING A WALK-BEHIND TRENCH ROLLER. ALTERNATELY, A ROLLER (MAXIMUM GROSS VEHICLE WEIGHT OF 6 TONS) MAY BE USED. ROLLER MUST REMAIN IN STATIC MODE UNTIL A MINIMUM OF 24" OF COVER HAS BEEN PLACED OVER THE MODULES. SHEEP FOOT ROLLERS SHOULD NOT BE USED. **SPEC SECTION 3.05 A5**
2. ONLY LOW PRESSURE TIRE OR TRACK VEHICLES (LESS THAN 7 PSI AND OPERATING WEIGHT OF LESS THAN 20,000 LBS) SHALL BE OPERATED OVER THE R-TANK SYSTEM DURING CONSTRUCTION. **SPEC SECTION 3.05 A5**
3. DUMP TRUCKS AND PANS SHALL NOT BE OPERATED WITHIN THE R-TANK SYSTEM AT ANY TIME. WHERE NECESSARY, THE HEAVY EQUIPMENT SHOULD UNLOAD IN AN AREA ADJACENT TO THE R-TANK SYSTEM AND THE MATERIAL SHOULD BE MOVED OVER THE SYSTEM WITH TRACKED EQUIPMENT. **SPEC SECTION 3.05 A5**
4. ENSURE THAT ALL UNRELATED CONSTRUCTION TRAFFIC IS KEPT AWAY FROM THE LIMITS OF EXCAVATION UNTIL THE PROJECT IS COMPLETE AND FINAL SURFACE MATERIALS ARE IN PLACE. NO NON-INSTALLATION RELATED LOADING SHOULD BE ALLOWED OVER THE R-TANK SYSTEM UNTIL THE FINAL DESIGN SECTION HAS BEEN CONSTRUCTED (INCLUDING PAVEMENT). **SPEC SECTION 3.05 B**
5. SEE R-TANK INSTALLATION GUIDE OR CONTACT YOUR LOCAL FERGUSON REPRESENTATIVE FOR ADDITIONAL INFORMATION.



CONSTRUCTION EQUIPMENT COVER DETAIL - GREEN SPACE

45 Union Street

45 Union Street, Portland, Maine

EAST BROWN COW®

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STATE OF MAINE
CAITLIN G. SUHR
No. 17568
LICENSED
PROFESSIONAL ENGINEER

KEY PLAN



NOTES

NOT FOR CONSTRUCTION

PROJECT NUMBER	DRAWN BY
1083.00	BCM
DATE	CHECKED BY
AUGUST 2025	CS

PHASE

ISSUED FOR SITE PLAN APPROVAL

SCALE

AS NOTED

DRAWING TITLE

CIVIL DETAILS - 7

SHEET NUMBER

C-406

3/19/2025 9:54:17 AM

GENERAL NOTES

1. EXISTING CONDITIONS SHOWN HEREON HAVE BEEN PROVIDED FROM A FIELD SURVEY PREPARED BY SEBAGO TECHNICS, DATED APRIL 22, 2025.
2. ELEVATIONS DEPICTED HEREON ARE CITY OF PORTLAND VERTICAL DATUM, BASED UPON A LEVEL RUN FROM CITY OF PORTLAND BENCHMARK AT CITY HALL BUILDING, CARD REFERENCE L.B. 786/188.
3. 3.BASIS OF BEARING IS REFERENCED TO GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE 1802-NAD83, GEOID18, IN U.S. SURVEY FEET.
4. THE ENTIRE SITE SHALL BE DEVELOPED AND/OR MAINTAINED AS DEPICTED ON THE SITE PLAN. APPROVAL OF THE PLANNING AUTHORITY OR PLANNING BOARD SHALL BE REQUIRED FOR ANY ALTERATION TO OR DEVIATION FROM THE APPROVED SITE PLAN, INCLUDING, WITHOUT LIMITATION: TOPOGRAPHY, DRAINAGE, LANDSCAPING, RETENTION OF WOODED OR LAWN AREAS, ACCESS, SIZE, LOCATION, AND SURFACING OF PARKING AREAS, AND LOCATION AND SIZE OF BUILDINGS.
5. EXISTING UTILITIES SHOWN ON THESE PLANS WERE COMPILED FROM A FIELD SURVEY PERFORMED BY SEBAGO TECHNICS. THESE PLANS DO NOT NECESSARILY DEPICT THE EXACT LOCATIONS OF ALL UTILITIES, WHICH MAY EXIST AT THIS TIME WITHIN THE SURVEY LIMITS. THERE MAY BE EXISTING LINES OTHER THAN THOSE INDICATED. THE LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES SHALL BE CONSIDERED APPROXIMATE AND MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY UTILITY CONNECTIONS OR CROSSINGS OF PROPOSED OR EXISTING UTILITIES. THE CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER IN WRITING. THE CONTRACTOR SHALL CONTACT THE RESPECTIVE UTILITY COMPANIES RELATIVE TO THE LOCATIONS AND ELEVATIONS OF THESE LINES. NO SEPARATE OR ADDITIONAL COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR DUE TO ANY VARIANCE BETWEEN THE DATA SHOWN ON THE PLANS AND ACTUAL FIELD CONDITIONS ENCOUNTERED. THE CONTRACTOR IS RESPONSIBLE FOR HIS/HER OWN DETERMINATION AS TO THE TYPE AND LOCATION OF THE EXISTING UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE AND TO FACILITATE THE PROPOSED CONNECTION(S).
6. THE CONTRACTOR SHALL CALL "DIG SAFE. MAINE" AT 888-344-7233 AT LEAST 72 HOURS PRIOR TO EXCAVATION IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL SAFETY CODES.
7. RESTORE ALL AREAS DISTURBED BY CONTRACTOR'S OPERATIONS TO ORIGINAL FINISH (GRAVEL, PAVEMENT, GRASS, ETC.). RESTORATION OF PAVED SURFACES, GRAVEL SURFACES, DRIVEWAYS, AND LAWNS DAMAGED BY CONSTRUCTION ACTIVITIES OUTSIDE OF LIMITS OF WORK INDICATED ON THE PLANS SHALL BE PERFORMED AT NO ADDITIONAL COST TO OWNER. ANY CURB DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE REPLACED IN KIND AND SHALL CONFORM TO CITY OF PORTLAND SPECIFICATIONS AT NO ADDITIONAL COST TO OWNER.
8. PROPERLY PROTECT AND DO NOT DISTURB PROPERTY IRONS AND MONUMENTS. IF DISTURBED, THE PROPERTY MONUMENT SHALL BE RESET AT THE CONTRACTOR'S EXPENSE BY A LICENSED LAND SURVEYOR ACCEPTABLE TO THE CITY.
9. EXISTING FACILITIES (I.E. TREES, POLES, LIGHT POSTS, CATCH BASINS, ETC.) SHALL BE REMOVED AND PROTECTED DURING CONSTRUCTION. OWNER AND/OR CITY RETAINS RIGHT TO KEEP ANY AND ALL REMOVED FACILITIES FOR WORK WITHIN RIGHT-OF-WAY. CONTRACTOR TO DISPOSE OF ANY REMOVED FACILITY AT THE REQUEST OF OWNER AT CONTRACTOR'S EXPENSE.
10. ALL WORK WITHIN THE RIGHT OF WAY OF CITY STREETS SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY TRAFFIC ENGINEER. THE CONTRACTOR SHALL SUBMIT A PROPOSED TRAFFIC CONTROL PLAN TO THE TRAFFIC ENGINEER AT LEAST 7 DAYS BEFORE BEGINNING CONSTRUCTION IN ANY STREET. THE PROPOSED TRAFFIC CONTROL PLAN SHALL BE SUBJECT TO APPROVAL BY THE TRAFFIC ENGINEER, WHO MAY ATTACH SPECIAL CONDITIONS TO, OR REQUIRE MODIFICATIONS OF, THE TRAFFIC CONTROL PLAN. WORK SHALL NOT BEGIN UNTIL THE PLAN IS APPROVED BY THE TRAFFIC ENGINEER.
11. DO NOT PARK, IMPEDE ACCESS TO, OR STORE EQUIPMENT ON ADJACENT CITY OR PRIVATELY OWNED LOTS, UNLESS PERMISSION HAS BEEN GRANTED IN WRITING BY CITY AND/OR LAND OWNER.
12. RESTRICT ACCESS TO SITE THROUGH THE USE OF APPROPRIATE SIGNAGE, BARRIERS, FENCES, ETC. SITE SHALL BE LEFT WITH APPROPRIATE SAFETY MEASURES IN PLACE DURING NON-WORKING HOURS. NO TRENCH SHALL BE LEFT OPEN DURING NON-WORKING HOURS. SITE SAFETY IS THE RESPONSIBILITY OF CONTRACTOR, DURING BOTH WORKING AND NON-WORKING HOURS.
13. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSTRUCTION PERMITS. PERMIT APPLICATIONS SHALL BE SUBMITTED WITH ADEQUATE TIME SO AS NOT TO DELAY CONSTRUCTION.
14. ALL WORK ASSOCIATED WITH THE PROJECT SHALL BE COMPLETED IN ACCORDANCE WITH ARTICLES VI, VII, AND IX OF CHAPTER 25-STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES OF THE CITY OF PORTLAND CODE OF ORDINANCES.
15. THE CITY OF PORTLAND ENGINEERING DIVISION REQUIRES THAT UPON COMPLETION OF CONSTRUCTION, A COMPLETE SET OF "RECORD" DRAWINGS THAT REFLECT ANY AND ALL MODIFICATIONS TO THE SANITARY SEWER SYSTEM, STORM SEWER SYSTEM AND ANY OTHER UTILITY INSTALLATIONS OR ALTERATIONS WITHIN THE PROJECT LIMITS BE SUBMITTED TO THE DIVISION.
16. PRIOR TO CONSTRUCTION, A PRECONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE WITH THE CONTRACTOR, DEVELOPMENT REVIEW COORDINATOR, PUBLIC SERVICES REPRESENTATIVE, AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE SITE WORK. AT THAT TIME, THE SITE/BUILDING CONTRACTOR SHALL PROVIDE THREE (3) COPIES OF A DETAILED CONSTRUCTION SCHEDULE TO THE ATTENDING CITY REPRESENTATIVE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRECONSTRUCTION MEETING.
17. EXISTING PAVEMENT SHALL BE SAWCUT AND BUTTED TO THE NEW PAVEMENT. NO FEATHERING OF PAVEMENT WILL BE PERMITTED.

DEMOLITION NOTES

1. PRIOR TO THE START OF DEMOLITION, THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND/OR APPROVALS FROM THE CITY OF PORTLAND, AND ALL OTHER AUTHORITIES HAVING JURISDICTION.
2. CONSTRUCTION/DEMOLITION DEBRIS NOT APPROVED FOR REUSE ON-SITE, SHALL BE REMOVED AND DISPOSED OFF SITE IN ACCORDANCE WITH THE REQUIREMENTS OF ALL AUTHORITIES HAVING JURISDICTION. WASTE MANIFEST FORMS DOCUMENTING PROPER OFF-SITE DISPOSAL SHALL BE PROVIDED TO THE SITE/CIVIL ENGINEER AND THE CITY OF PORTLAND. CONTRACTOR SHALL CONTROL DUST AND DEBRIS DURING DEMOLITION OPERATIONS. MATERIALS SHALL NOT BE STOCKPILED OR STORED OUTSIDE THE DESIGNATED CONSTRUCTION LIMITS.
3. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES TO REMAIN. ANY TEMPORARY SHUT DOWNS REQUIRED TO FACILITATE THE PROPOSED CONSTRUCTION, WHICH MAY AFFECT USES ON ADJACENT PROPERTIES SHALL BE COORDINATED BY THE CONTRACTOR WITH THE UTILITY PROVIDER, CITY OF PORTLAND, AND AFFECTED LAND OWNERS.
4. CONTRACTOR SHALL REPAIR OR REPLACE ANY STRUCTURES OR UTILITIES DAMAGED DURING CONSTRUCTION.
5. THE CONTRACTOR SHALL PROCEED WITH CAUTION WITHIN THE PROPOSED WORK AREA TO PREVENT ANY INTERRUPTION TO EXISTING UTILITY SERVICE.
6. CONTRACTOR SHALL COVER CONSTRUCTION DUMPSTERS AND ROLL-OFF CONTAINERS, AND STORE ALL CONSTRUCTION CHEMICALS INSIDE THE CONSTRUCTION TRAILER OR UNDER A COVERED AREA DURING PERIODS WHEN CONSTRUCTION CEASES.

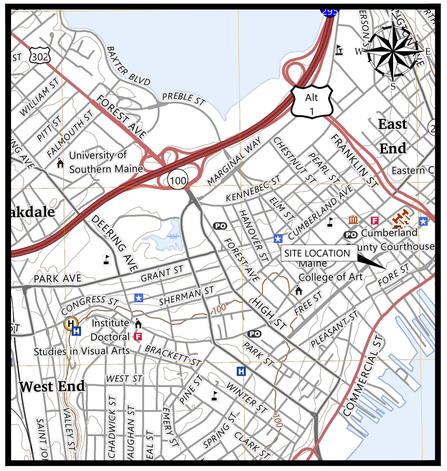
ABBREVIATIONS*

&	AND
AASHTO	AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS
ADA	AMERICANS WITH DISABILITIES ACT
APPROX; ±	APPROXIMATELY
ASTM	AMERICAN SOCIETY FOR TESTING AND MATERIALS
B-#	BORING NUMBER
BOC	BOTTOM OF CURB
BCC	BITUMINOUS CONCRETE CURB
BIT	BITUMINOUS
BLDG	BUILDING
B.M.	BENCH MARK
B.O.A.	BOTTOM OF FOOTING
B.O.S.	BOTTOM OF SILL
BOT	BOTTOM
B.S.	BOTTOM OF STEPS
B.W.	BOTTOM OF WALL
B/W	BETWEEN
℄	CENTERLINE
CB	CATCH BASIN
CC	CONCRETE CURB
C.D.F.	CONTROL DENSITY FILL
C.I.	CAST IRON
C.L.	CLEARING LIMITS
C.L.D.I.	CEMENTED LINED DUCTILE IRON
C.L.F.	CHAIN LINK FENCE
C.M.P.	CORRUGATED METAL PIPE
C.M.U.	CONCRETE MASONRY UNIT
CO	CLEANOUT
CONC	CONCRETE
CONT	CONTINUOUS
DEMO	DEMOLISH
D.I.	DUCTILE IRON
DIA, Ø	DIAMETER
DMH	DRAINAGE MANHOLE
DWL	DOUBLE WHITE LINE
DYL	DOUBLE YELLOW LINE
EA	EACH
ECC	ECCENTRIC
EL. ELEV	ELEVATION
ELEC	ELECTRICAL
E.O.P.	EDGE OF PAVEMENT/EDGE OF PIPE
EXIST, EX, EXG	EXISTING
EXP	EXPANSION
EXT	EXTERIOR
F.D.	FLOOR DRAIN
FDN	FOUNDATION
F.F., FIN. FLR.	FINISH FLOOR
FL. FLR	FLOOR
FT	FOOT/ FEET
GAL	GALLON
G.G.	GAS GATE VALVE
GRAN	GRANITE
GRND	GROUND
H.A.T.	HIGHEST ANNUAL TIDE
HDPE	HIGH DENSITY POLYETHYLENE
HH	HANDHOLE
HMA	HOT MIX ASPHALT
HT	HEIGHT
HWY	HIGHWAY
H:V	HORIZONTAL TO VERTICAL
HYD	HYDRANT
I.A.	INSIDE DIAMETER
IN	INCHES
INF	INFLUENT
INT	INTERIOR
INV	INVERT
I.P.	IRON PIPE
L	LENGTH
LB	POUND
L.D.	LINEAR FEET
LW, L.O.W.	LIMIT OF WORK
MAX	MAXIMUM
MECH	MECHANICAL
MFG	MANUFACTURER
MH	MANHOLE
M.H.W.	MEAN HIGH WATER
MIL	MILLIMETER
MIN	MINIMUM
M.J.	MECHANICAL JOINT
MLW	MEAN LOW WATER
MON	MONUMENT
M.P.H.	MILES PER HOUR
M.S.L.	MEAN SEA LEVEL
N/A	NOT APPLICABLE
NAD	NORTH AMERICAN DATUM
NAVD	NORTH AMERICAN VERTICAL DATUM
N/F	NOW OR FORMERLY
N.I.C.	NOT IN CONTRACT
NO.	NUMBER
N.T.S.	NOT TO SCALE
O.R.	ON CENTER
O.S.	OUTSIDE DIAMETER
O.T.	OVERHEAD ELECTRIC
OH	OVERHEAD
PCC	PRECAST CONCRETE CURB
PE	POLYETHYLENE
P.L.S.	PROFESSIONAL LAND SURVEYOR
PROP	PROPOSED
PSF	POUNDS PER SQUARE FOOT
PSI	POUNDS PER SQUARE INCH
P.T.	PRESSURE TREATED/POINT
PVC	POLYVINYL CHLORIDE
R=/RIM	RIM ELEVATION
R	RADIUS
RCP	REINFORCED CONCRETE PIPE
R.D.	ROOF DRAIN
RED	REDUCER
RET	RETAINING WALL
REQ'D	REQUIRED
R.O.W., R/W	RIGHT-OF-WAY
RT, RTE	ROUTE
S	SLOPE (FT./FT.)
SCH	SCHEDULE
SD	STORM DRAIN
S.D.R.	STANDARD DIMENSION RATIO
SECT	SECTION
SGC	SLOPED GRANITE CURB
S.H.G.W.T.	SEASONAL HIGH GROUND WATER TABLE
SHT	SHEET
SMH	SEWER MANHOLE
SS	SANITARY SEWER
S.S./SST	STAINLESS STEEL
STA	STATION
STD	STANDARD
SQ. FT.	SQUARE FEET
SWL	SINGLE WHITE LINE
SYL	SINGLE YELLOW LINE
TOC	TOP OF CURB
T.O.F.	TOP OF FOOTING
T.O.W., T.W.	TOP OF WALL
TP-#	TEST PIT
T.S.	TOP OF STEPS
TYP	TYPICAL
U.N.O.	UNLESS NOTED OTHERWISE
U.P.	UTILITY POLE
VGC	VERTICAL GRANITE CURB
VERT	VERTICAL
V.T.A.	VENT TO ATMOSPHERE
W/	WITH
W	WEST/WATER/WATERMAIN
W.G.	WATER GATE VALVE
W.S.	WATER SERVICE/WATER STOP/WATER SURFACE
W.V.	WATER VALVE

LINETYPE LEGEND

EXISTING		PROPOSED
122	CONTOUR (1' OR 2' INTERVAL)	122
120	CONTOUR (10' INTERVAL)	120
S	SANITARY SEWER	S
FM	FORCE MAIN	FM
SD	STORM DRAIN	SD
UD	UNDERDRAIN	UD
FD	FOUNDATION DRAIN	FD
RD	ROOF DRAIN	RD
W	WATER MAIN	W
E	UNDERGROUND ELECTRIC	E
T	UNDERGROUND TELEPHONE	T
COMM	UNDERGROUND COMMUNICATIONS	COMM
G	GAS LINE	G
OE	OVERHEAD ELECTRIC	OE
	PROPERTY LINE	
	PROJECT SITE PROPERTY LINE	
	RIGHT OF WAY LINE	
	TEMPORARY EASEMENT	
	PERMANENT EASEMENT	
	CENTERLINE	
	EDGE OF VEGETATION	
	CHAIN LINK FENCE	
	WOOD FENCE	
	GRANITE CURB	
	EDGE OF PAVEMENT	
	GUARDRAIL	
	BUILDING OVERHANG	
	EROSION CONTROL SEDIMENT BARRIER	
	LIMIT OF WORK	LW
	ABANDON IN PLACE	
	UTILITY REMOVE AND DISPOSE	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
	REMOVE AND DISPOSE PAVEMENT	
	REMOVE AND DISPOSE SIDEWALK	
	BITUMINOUS PAVEMENT	
	BRICK SIDEWALK	
	CONCRETE	
	RIPRAP	
	GRAVEL	
	CRUSHED STONE	
	LAWN	
	BUILDING	

MATCHLINE STA. X+XX ___ SEE SHEET ####



SITE LOCATION MAP

SOURCE: USGS TOPO QUADRANGLE

SYMBOLS LEGEND

EXISTING		PROPOSED
XXX.XX	SPOT ELEVATION	XXX.XX
SCD	STONE CHECK DAM	SCD
S	SANITARY SEWER MANHOLE	S
CO	CLEANOUT	CO
	GREASE INTERCEPTOR	
D	DRAINAGE MANHOLE	D
	CATCH BASIN	
	INLET PROTECTION	
RD	ROOF DRAIN	RD
	ACCESS COVER HATCH	
T	TELEPHONE MANHOLE	T
T	TELEPHONE STAND BOX	T
	TRANSFORMER	
E	ELECTRICAL MANHOLE	
	ELECTRICAL VAULT	
EM	ELECTRICAL METER BOX	
	UTILITY POLE	
	UTILITY POLE WITH GUY	
	LIGHT POST/LIGHT POLE	
GM	GAS METER	G
	GAS GATE VALVE	
	CURB STOP	
	HYDRANT	
W	WATER WELL	W
W	WATER METER BOX	W
	WATER GATE VALVE	
	PROPERTY MONUMENT	MS
	IRON PIN	IPS
	SURVEY STATION / CONTROL POINT	
	TEMPORARY BENCH MARK	
	MAILBOX	
	BOLLARD	
	STREET AND MISCELLANEOUS SIGNS	
	ACCESSIBLE PARKING	
	BIKE LANE	FP
	FLAGPOLE	
PM	PARKING METER	
	DECIDUOUS TREE/SHRUB	
	CONIFEROUS TREE/SHRUB	
	TREE PROTECTION	
	TREE REMOVAL	X
	TREE PLANTERS	

DRAWING INDEX

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SITE LAYOUT PLAN	**C-100**
SITE UTILITY PLAN	**C-200**
SITE GRADING & DRAINAGE PLAN	**C-300**
CIVIL DETAILS - 1	**C-400**
CIVIL DETAILS - 2	**C-401**
CIVIL DETAILS - 3	**C-402**
CIVIL DETAILS - 4	**C-403**
CIVIL DETAILS -5	**C-404**
CIVIL DETAILS - 6	**C-405**
CIVIL DETAILS - 7	**C-406**

NOTE: THIS IS A GENERAL LIST OF SYMBOLS AND ABBREVIATIONS. NOT ALL ITEMS SHOWN HERE APPEAR ON THE CONTRACT DOCUMENT

45 Union Street

45 Union Street, Portland, Maine

EAST BROWN COW®

CLIENT
East Brown Cow - Kowtower LLC
100 Commercial Street, Suite 300, Portland, Maine, 04101

DESIGN ARCHITECT
Saldie Architects, LLC
100 Properzi Way
Somerville, MA 02143-3740 USA
T 617.629.2100 F 617.629.2406

CIVIL ENGINEERING
Woodard & Curran
12 Mountfort Street
Portland, ME 04101 USA
T 800.426.4262

LANDSCAPE ARCHITECT
Michael Boucher Landscape Architecture
457 US Route 1 Suite 2
Freeport, ME 04032 USA
T 207.865.1080 x7044

CODE CONSULTANT
ARUP
60 State Street
Boston, MA 02109 USA
T 617.864.2987

STRUCTURAL ENGINEERING
ARUP
77 Water Street
New York, NY 10005 USA
T 212.896.3000

MECHANICAL, ELECTRICAL, PLUMBING, FIRE PROTECTION
Cosentini
101 Federal Street, 6th Floor
Boston, MA 02110 USA
T 617.748.7800

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STATE OF MAINE
CAITLIN G. SUHR
No. 17568
LICENSED PROFESSIONAL ENGINEER

KEY PLAN



NOTES

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PROJECT NUMBER	DRAWN BY
1083.00	BCM
DATE	CHECKED BY
AUGUST 2025	CS

PHASE
ISSUED FOR SITE PLAN APPROVAL

SCALE
AS NOTED

DRAWING TITLE
LEGEND & ABBREVIATIONS

SHEET NUMBER
G-001

3/19/2025 9:54:17 AM

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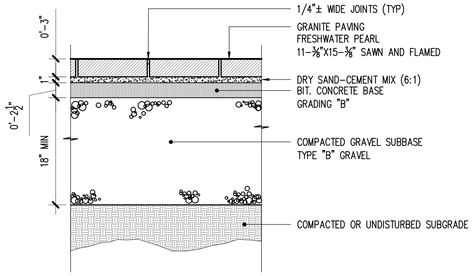
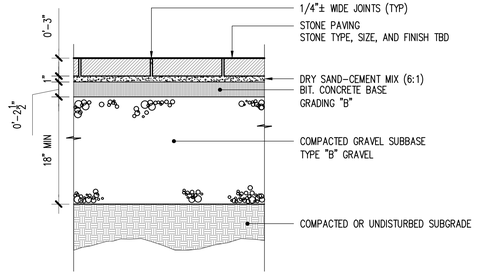
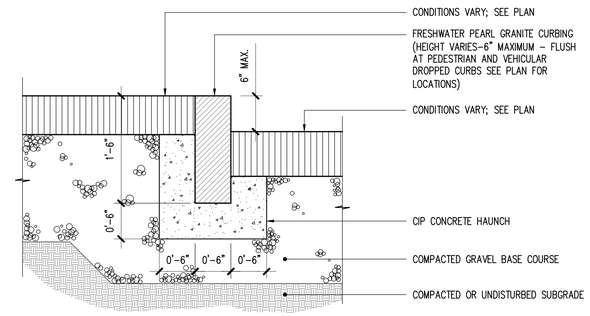


1 GRANITE PAVING
1"=1'



2 STONE PAVING (A AND B)
1"=1'



3 STONE CURB
1"=1'

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t 207.865.1080
www.boucherlandscape.com
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Client
East Brown Cow - Kowtower LLC
100 Commercial St
Suite 300
Portland ME 04101

45 Union St

PORTLAND, ME

LICENSED LANDSCAPE ARCHITECT
JEFFREY PELLETIER
No. 3192
STATE OF MAINE

REVISION:

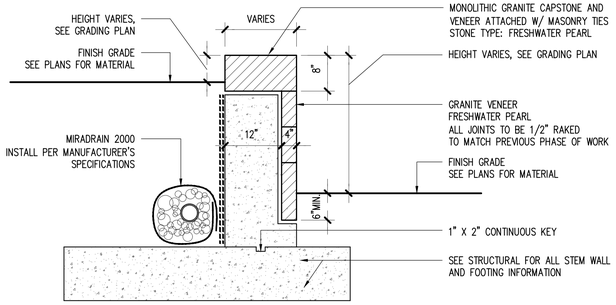
1	DATE
2	DATE
3	DATE
4	DATE
5	DATE
6	DATE

DATE OF ISSUE: 08.11.2025
STATUS: ISSUED FOR SITE PLAN APPROVAL
SCALE: SEE DETAIL

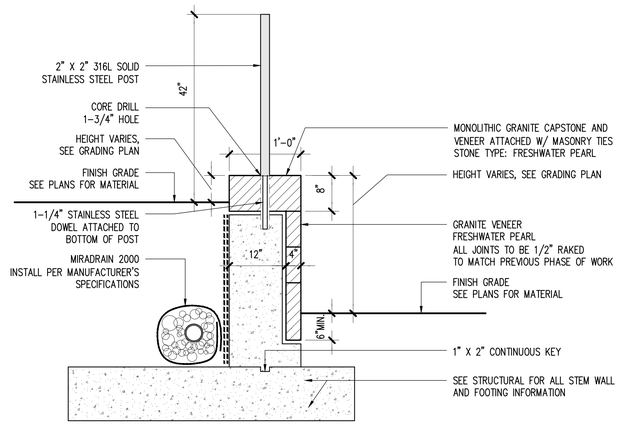
L5.0

PAVING DETAILS

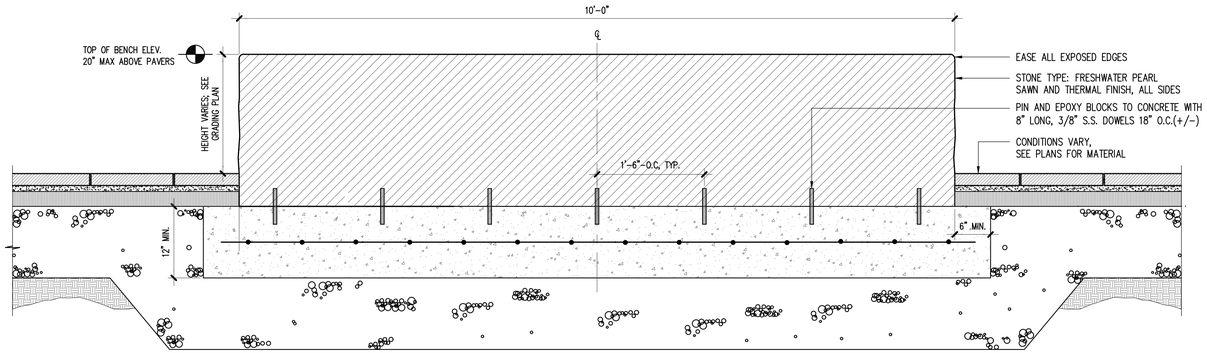
NOT FOR CONSTRUCTION



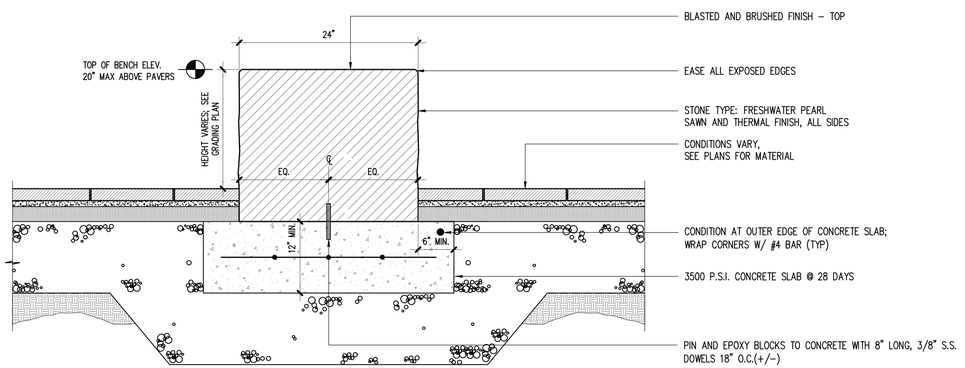
1 STONE VENEER RETAINING WALL
3/4" = 1'



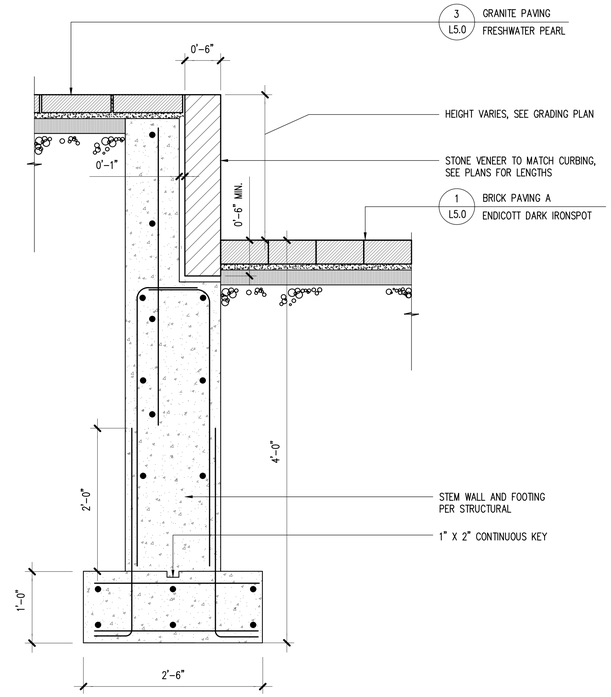
2 STONE VENEER RETAINING WALL WITH HAND RAIL
3/4" = 1'



NOTES:
1. FIELD VERIFY ALL DIMENSIONS PRIOR TO FABRICATION.
2. SUBMIT SHOP DRAWINGS FOR APPROVAL PRIOR TO FABRICATION.



3 STONE BENCH
1"=1'



4 STONE CURB WALL
1"=1'

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t 207.865.1080
www.boucherlandscape.com
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Suite 300
Portland ME 04101

45 Union St

PORTLAND, ME

LICENSED LANDSCAPE ARCHITECT
JEFFREY PELLETIER
No. 3192
STATE OF MAINE

REVISION:

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2		DATE
3		DATE
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DATE OF ISSUE: 08.11.2025
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SCALE: SEE DETAIL

L5.1

SITE DETAILS

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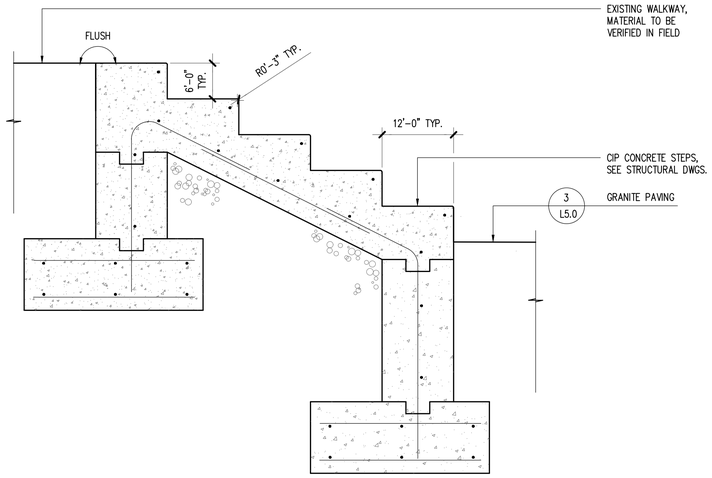
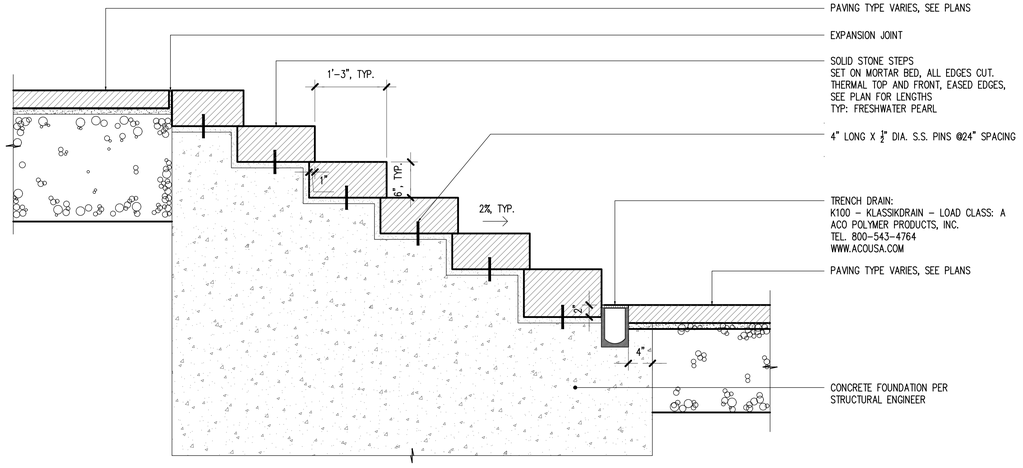
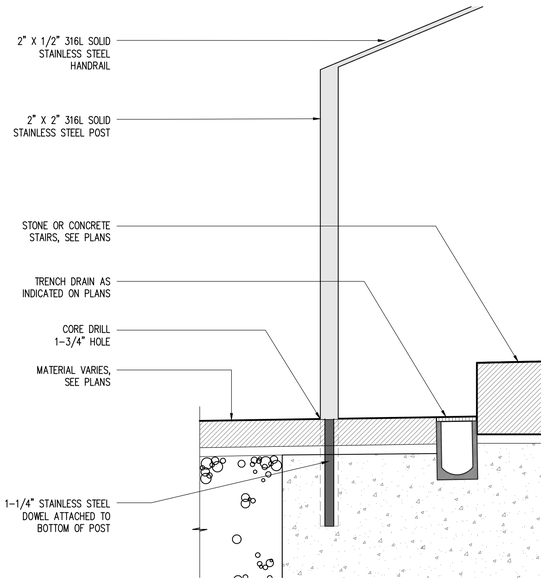


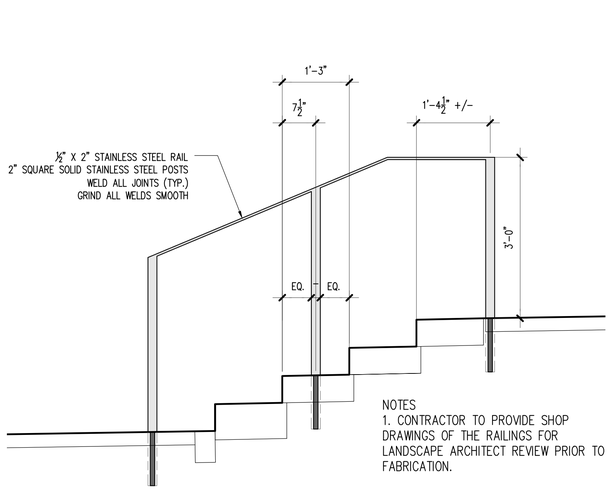
1 CONCRETE STEPS
1"=1'



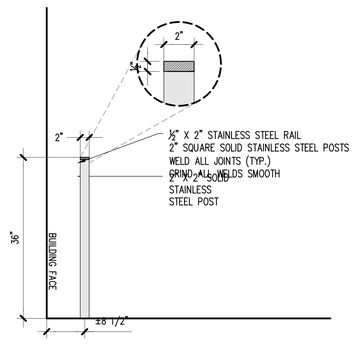
2 STONE STEPS
1" = 1'



3 STEEL HANDRAIL ATTACHMENT
1 1/2" = 1'



4 STEEL HANDRAILS
3/4" = 1'



5 VEHICULAR SECURITY BOLLARD
TBD

TBD

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t 207.865.1080
www.boucherlandscape.com
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Client
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100 Commercial St
Suite 300
Portland ME 04101

45 Union St
PORTLAND, ME

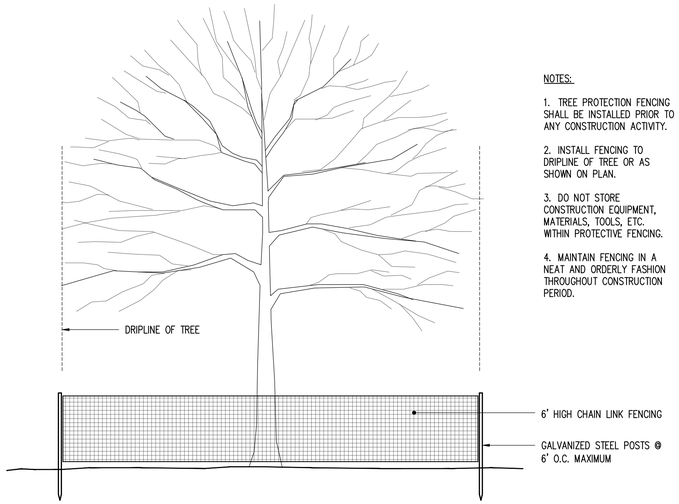
LICENSED LANDSCAPE ARCHITECT
JEFFREY PELLETIER
No. 3192
STATE OF MAINE

REVISION:
1 DATE
2 DATE
3 DATE
4 DATE
5 DATE
6 DATE

DATE OF ISSUE: 08.11.2025
STATUS: ISSUED FOR SITE PLAN APPROVAL
SCALE: SEE DETAIL

L5.2
SITE DETAILS

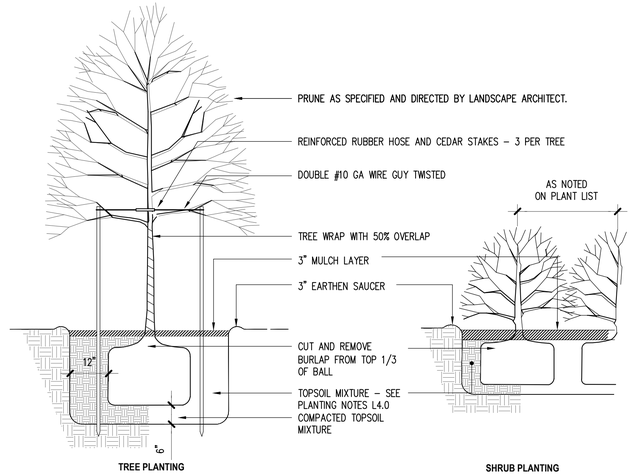
NOT FOR CONSTRUCTION



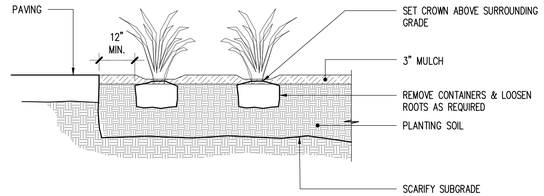
NOTES:

1. TREE PROTECTION FENCING SHALL BE INSTALLED PRIOR TO ANY CONSTRUCTION ACTIVITY.
2. INSTALL FENCING TO DRIPLINE OF TREE OR AS SHOWN ON PLAN.
3. DO NOT STORE CONSTRUCTION EQUIPMENT, MATERIALS, TOOLS, ETC. WITHIN PROTECTIVE FENCING.
4. MAINTAIN FENCING IN A NEAT AND ORDERLY FASHION THROUGHOUT CONSTRUCTION PERIOD.

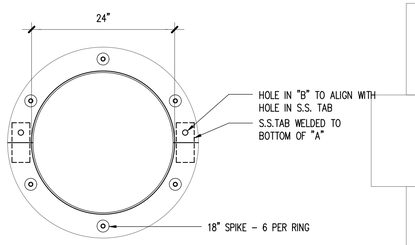
1 TREE PROTECTION
3/4"=1'

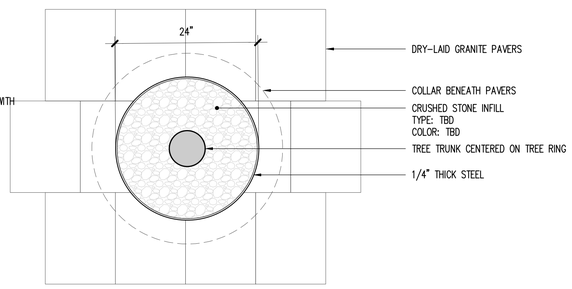


2 TREE AND SHRUB PLANTING IN PLANTER
3/4"=1'

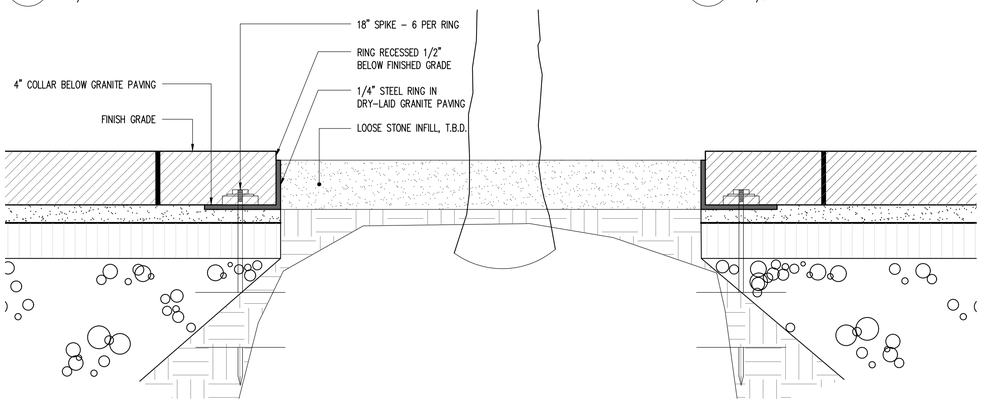


3 GROUNDCOVER PLANTING
1/2" = 1'

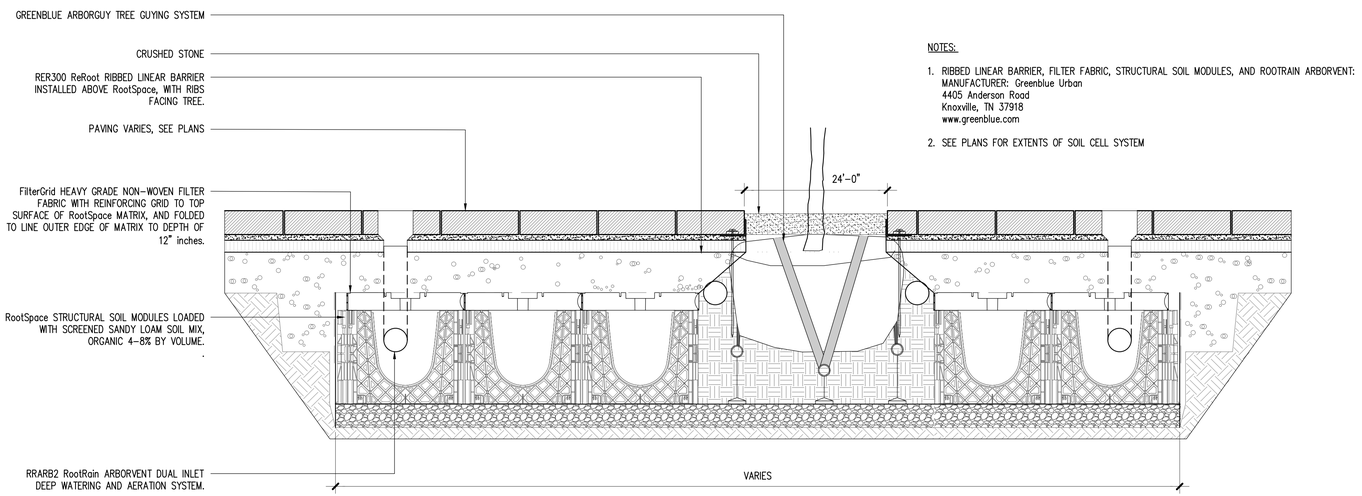




4 TREE RING ALIGNMENT
3" = 1'



5 TREE RING INSTALLATION
3" = 1'



NOTES:

1. RIBBED LINEAR BARRIER, FILTER FABRIC, STRUCTURAL SOIL MODULES, AND ROOTRAIN ARBORVENT:
   MANUFACTURER: Greenblue Urban
   4405 Anderson Road
   Knoxville, TN 37918
   www.greenblue.com
2. SEE PLANS FOR EXTENTS OF SOIL CELL SYSTEM

6 SOIL CELL SYSTEM
1"=1'

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michael boucher landscape architecture
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Freeport, ME 04032
t 207.865.1080
www.boucherlandscape.com

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Client
East Brown Cow - Kowtower LLC
100 Commercial St
Suite 300
Portland ME 04101

45 Union St
PORTLAND, ME

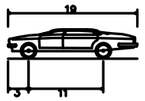
LICENSED LANDSCAPE ARCHITECT
JEFFREY PELLETIER
No. 3192
STATE OF MAINE

REVISION:

1	DATE
2	DATE
3	DATE
4	DATE
5	DATE
6	DATE

DATE OF ISSUE: 08.11.2025
STATUS: ISSUED FOR SITE PLAN APPROVAL
SCALE: SEE DETAIL

L5.3
PLANTING DETAILS



P – Passenger Car

Overall Length	19.000ft
Overall Width	7.000ft
Overall Body Height	4.300ft
Min Body Ground Clearance	1.115ft
Track Width	6.000ft
Lock-to-lock time	4.00s
Max Steering Angle (Virtual)	31.60°

BAR SCALE
1" = 40'
CHECK GRAPHIC SCALE BEFORE USING

Woodard & Curran

12 Mountfort Street
Portland, Maine 04101
800.426.4262 | www.woodardcurran.com

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PE SEAL:

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CLIENT INFO:

EAST BROWN COW
PORTLAND, MAINE

45 UNION STREET

JOB NO:	0232191.08
DATE:	AUGUST 2025
SCALE:	AS NOTED
DESIGNED BY:	ANG
DRAWN BY:	BCM
CHECKED BY:	CS
FILENAME:	0232191.08 VEHICLE*.dwg

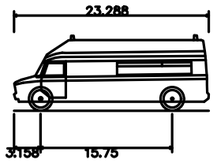
DRAWING TITLE:

VEHICLE MOVEMENTS
PASSENGER VEHICLE - 1

DRAWING NO:

C-1

\\woodardcurran.net\shared\Projects\0232191.08 Kowtower LLC Kowtower Hotel\wip\Drawings\Civil\0232191.08 Vehicle Figs.dwg, Aug 14, 2025 - 3:48pm HMEHL



Horton 453 Type I Ford E-Series Ambulance	
Overall Length	23.288f
Overall Width	8.021ft
Overall Body Height	9.000ft
Min Body Ground Clearance	1.075ft
Track Width	8.021ft
Lock-to-lock time	5.00s
Curb to Curb Turning Radius	27.400f

40' 0 40' 80'

BAR SCALE
1" = 40'
CHECK GRAPHIC SCALE BEFORE USING

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PORTLAND, MAINE

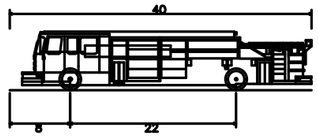
45 UNION STREET

JOB NO:	0232191.08
DATE:	AUGUST 2025
SCALE:	AS NOTED
DESIGNED BY:	ANG
DRAWN BY:	BCM
CHECKED BY:	CS
FILENAME:	0232191.08 VEHICLE*.dwg

DRAWING TITLE:
VEHICLE MOVEMENTS AMBULANCE

DRAWING NO:
C-3

\\woodardcurran.net\shared\Projects\0232191.08 Kowtower LLC Kowtower Hotel\wip\Drawings\Civil\0232191.08 Vehicle Figs.dwg, Aug 14, 2025 - 4:39pm HMEHL



Pumper Fire Truck	
Overall Length	40.000ft
Overall Width	8.167ft
Overall Body Height	7.745ft
Min Body Ground Clearance	0.656ft
Track Width	8.167ft
Lock-to-lock time	5.00s
Max Wheel Angle	45.00°

BAR SCALE
1" = 40'
CHECK GRAPHIC SCALE BEFORE USING

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PORTLAND, MAINE

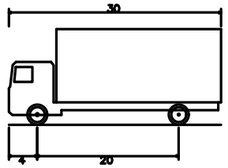
45 UNION STREET

JOB NO:	0232191.08
DATE:	AUGUST 2025
SCALE:	AS NOTED
DESIGNED BY:	ANG
DRAWN BY:	BCM
CHECKED BY:	CS
FILENAME:	0232191.08 VEHICLE*.dwg

DRAWING TITLE:
VEHICLE MOVEMENTS
FIRE TRUCK

DRAWING NO:
C-2

\\woodardcurran.net\shared\Projects\0232191.08 Kowtower LLC Kowtower Hotel\wip\Drawings\Civil\0232191.08 Vehicle Figs.dwg, Aug 14, 2025 - 5:17pm HMEHL



SU-30 – Single Unit Truck	
Overall Length	30.000ft
Overall Width	8.000ft
Overall Body Height	13.500ft
Min Body Ground Clearance	1.367ft
Track Width	8.000ft
Lock-to-lock time	5.00s
Max Steering Angle (Virtual)	31.80°

BAR SCALE
1" = 40'
CHECK GRAPHIC SCALE BEFORE USING

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DESIGNED BY:	ANG
DRAWN BY:	BCM
CHECKED BY:	CS
FILENAME:	0232191.08 VEHICLE*.dwg

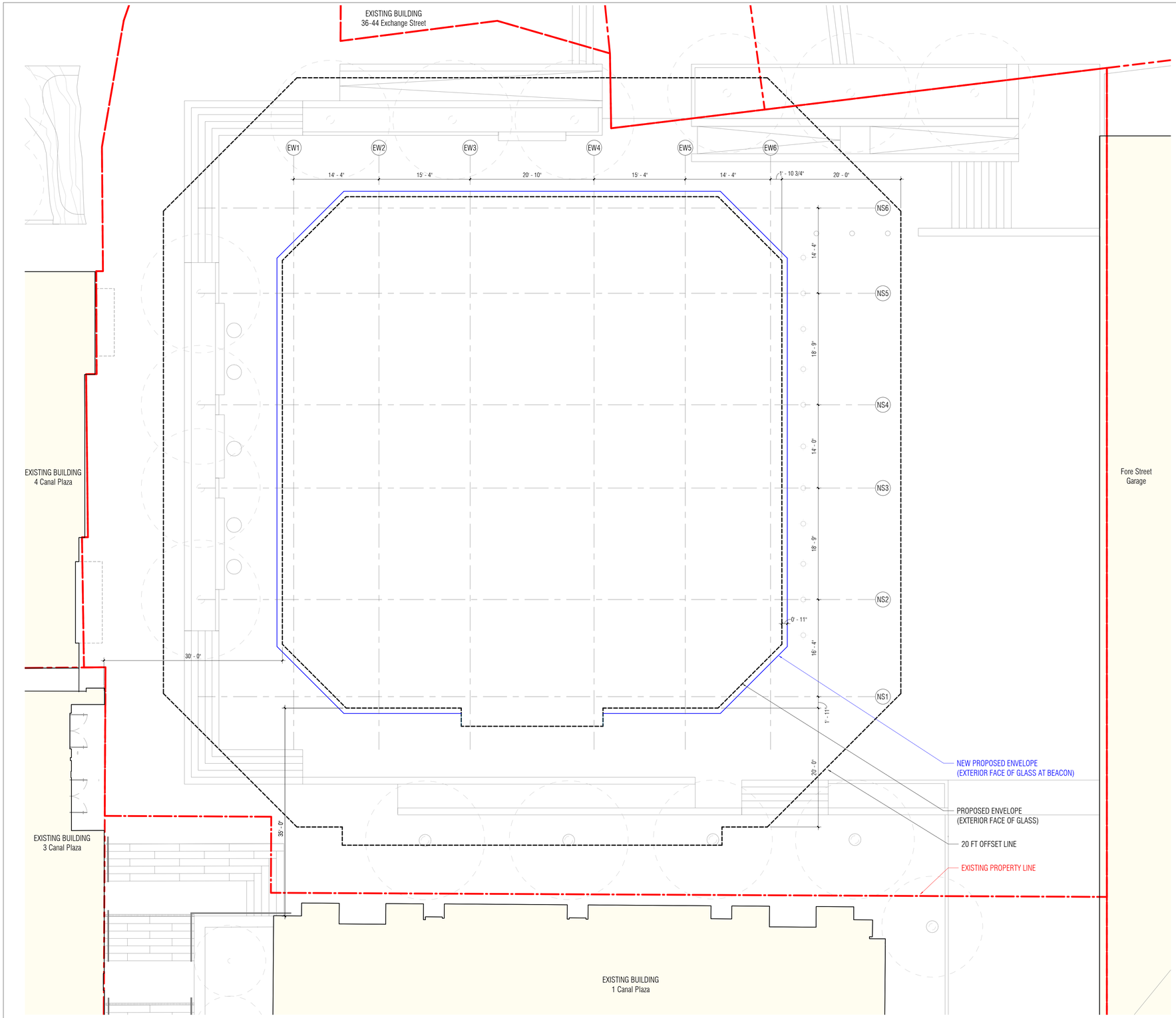
DRAWING TITLE:

VEHICLE MOVEMENTS SU-30 TURNAROUND BY GARAGE

DRAWING NO:

C-4

\\woodardcurran.net\shared\Projects\0232191.08 Kowtower LLC Kowtower Hotel\wip\Drawings\Civil\0232191.08 Vehicle Figs.dwg, Aug 15, 2025 - 1:37pm HMEHL



1 SETTING OUT PLAN
1/8" = 1'-0"

45 Union Street

45 Union Street, Portland, Maine

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ISSUE

NO.	DESCRIPTION	DATE

KEY PLAN

NOTES

NOT FOR CONSTRUCTION

PROJECT NUMBER	DRAWN BY
1083.00	
DATE	CHECKED BY
05/30/25	

PHASE
SCHEMATIC DESIGN

SCALE
1/8" = 1'-0"

DRAWING TITLE
SETTING OUT PLAN

SHEET NUMBER
A10.01

5/2/2025 7:14:04 PM

STAFF MEMORANDUM
HISTORIC PRESERVATION PROGRAM
PLANNING AND URBAN DEVELOPMENT

TO:	Chair Mazer and Members of the Planning Board
FROM:	Evan R. Schueckler, Historic Preservation Program Manager
	Kevin Kraft, Director - Planning and Urban Development
	Zach Powell, Senior Planner - Planning and Urban Development
DATE:	September 17, 2025
RE:	Historic Designations Interactive Web-Based Map
MEETING:	September 23, 2025

Staff are excited to announce the launch of a new interactive web-based map of Portland's Local Historic Designations. The map officially launched on Friday, August 29, 2025: https://experience.arcgis.com/experience/617098096087 4b0cb9dd10b5848a7b6e

This project began in March of 2024 with the goal of creating improved pdf maps of the Historic Districts and quickly moved to the goal of creating an interactive tool that would offer searchability and links to useful information for property owners. This map builds upon the work to improve the Historic Designations page of the city website, which was completed in May of this year. As Board members may recall, funded by a Certified Local Government (CLG) Grant from the Maine Historic Preservation Commission (MHPC), the city digitized several thousand pages of survey forms and original photos produced in the 1990s. These records were then organized by Historic District and Street and are now available as searchable and bookmarked PDFs on the City's website: https://www.portlandmaine.gov/1548/Historic-Designations

The new interactive map provides searchability by address and parcel, as well as the ability to navigate visually to a desired location and select a parcel. Once a parcel is selected, basic information is provided such as address, property name (as applicable), and date of construction. The map also provides links to useful resources such as district designation reports, property descriptions/survey forms, 1924 tax photos and other historic images held by the Maine Historical Society, and historic maps such as the 1914 Richards atlas and several Sanborn Fire Insurance Maps.

In laying the groundwork for this project, staff went back to original designating orders and reports to confirm designation boundaries and property classifications. This project does not include any changes to designation boundaries and or classifications. The map is intended to be a consolidated resource to make it easier for property owners and members of the public to access information on the designation and history of their properties, empowering them to conduct their own research and become informed about the status and significance of their properties.

In addition to the interactive map, this project includes updated PDF maps of all 12 Historic Districts, which are graphically consistent and show parcel addresses. These have been added to the Historic District web pages along with the original designating maps.

Staff, including Zach Powell, Senior Planner who was instrumental in the development of the tool, will provide a demonstration of the map and be available to answer questions about the map.

ATTACHMENTS

None

Zoning Text Amendment – Article 17
Hotel Inclusionary Zoning
City of Portland, Applicant

Submitted to:	Portland Planning Board	**Prepared By:**	Matthew Grooms
Public Hearing Date:	September 23, 2025	**Date:**	September 17, 2025

I. INTRODUCTION

On November 4, 2024, the City Council passed Order 77-24/25 (6-2, Mayor Dion and Councilor Rodriguez opposed; Councilor Fournier absent) (Attachment B), establishing a 180-day moratorium on new hotel projects in Portland. In adopting this moratorium, the Council cited several concerns, including:

- The City's ongoing shortage of affordable housing;
- The high share of hotel-related jobs that are expected to pay below 60% of Area Median Income (AMI);
- The pace of hotel development since the adoption of the City's Hotel Inclusionary Zoning (IZ) policy in 2018;
- The lack of long-term, low-income housing produced directly through hotel development;
- The relatively modest contribution of $3,556,000 in fees to the Jill C. Duson Housing Trust Fund; and
- The fact that the Hotel IZ Ordinance has remained largely unchanged since 2019 and is not adequately addressing the housing needs of hotel workers.

The moratorium took effect on December 4, 2024, and was originally set to expire on June 2, 2025. On May 5, 2025, the Council unanimously approved Order 177-24/25 (Attachment C), extending the moratorium for an additional 180 days. As outlined in Order 77-24/25, the purpose of the moratorium was to allow the Housing and Economic Development Committee (HEDC) to review the City's Hotel IZ ordinance and identify policy issues for the Planning Board to consider in drafting potential amendments.

Since the moratorium was enacted, staff have evaluated multiple approaches to recalibrating the hotel inclusionary zoning fee-in-lieu. This work has included testing different methodologies and modeling several potential fee amounts; meeting with the HEDC and the Planning Board; engaging Colliers International to prepare a feasibility assessment of alternative fee levels; and soliciting feedback directly from hotel developers, operators, and other stakeholders. On April 15, 2025, staff met with HEDC to review hotel development data, fee methodologies, and potential fee updates, followed by a similar workshop with the Planning Board on July 8, 2025.

The Planning Board Public Hearing for this zoning text amendment was advertised in the September 11th and 12th editions of the Portland Press Herald.

- Meeting materials and recordings for the April 15th HEDC Meeting can be found at the following link: https://portlandme.portal.civicclerk.com/event/7340/files/attachment/25813

- Meeting materials and recordings for the July 8th Planning Board Workshop can be found at the following link: https://portlandme.portal.civicclerk.com/event/7575/files/agenda/16488

This report summarizes staff's analysis, stakeholder feedback, and recommended amendments to the Hotel IZ ordinance. These amendments are intended to recalibrate the City's hotel linkage fee so that it more effectively addresses the housing impacts of hotel development while remaining feasible in Portland's market. By updating this ordinance, the City can ensure that future hotel growth is paired with meaningful contributions to housing affordability, advancing the goals of Portland's Plan 2030 and strengthening the City's ability to balance economic vitality with the housing needs of its residents.

II. BACKGROUND

A. History of Hotel Inclusionary Zoning Policy

In 2019, the City proposed and established a hotel inclusionary zoning (IZ) ordinance. The ordinance applies to hotel projects with 10 or more rooms and any hotel expansions of 10 or more rooms within any five-year period. To meet the requirements of the ordinance, hotel projects may provide one unit of low-income housing for rent within the city for every 28 hotel rooms. Portland considers a low-income housing unit to mean one that is rented to households earning 80% of the area median income (AMI) or less. The other alternative is for a hotel project to pay a linkage fee (fee-in-lieu) with a 2019 basis of $3,806 per room, which is deposited into the City's Housing Trust Fund. The fee is adjusted annually, with the 2025 hotel fee-in-lieu being $4,831 per guest room.

The impetus for creating a hotel inclusionary zoning ordinance was a steady rise in hotel/inn/motel development between 2012 and 2018. Local and national data indicated that job creation in the hospitality industry would involve a considerable number of workforce households at average wage rates below what was required to afford housing in Portland at the time (Attachment F). In anticipation of a further increase in hotel/inn/motel development in the coming years, the hotel inclusionary zoning ordinance was adopted on January 23, 2019. Order 134-18/19 (Attachment D) became effective on February 22, 2019.

B. Hotel Development Following the Adoption of the Hotel IZ Ordinance

Since the adoption of the ordinance in 2019, 15 hotel projects have been approved in the City of Portland. Of these 15 projects, three were not subject to hotel inclusionary zoning requirements (Table 1). One project was too small (<10 rooms) to trigger the requirement and the other two were products of approved master development plans (Thompsons Point and Portland Foreside), which gave them pending proceeding status under the pre-inclusionary zoning code.

Table 1: Approved Hotel Projects Exempt From Hotel IZ Regulations[1]				
Address	Common Name	Approval Year	Total Rooms	Status
148 Coveside Drive	Diamond Cove	2024	8	Approved
Thompson's Point	Forefront Hotel	2023	148	Under Construction
58 Fore Street	Portland Foreside	2023	128	Approved
Total	**3**		**284**	

1. Project data related to approved hotel developments, including room counts, status, and fee contributions, was compiled by Planning & Urban Development Department staff based on site plan application records maintained by the City of Portland. Information reflects the status of projects as of September 17, 2025.

Of the 12 remaining projects (Table 2), five have been constructed and completed (shown in green), resulting in a combined total of 242 rooms. Each of these projects elected to pay the fee-in-lieu, generating a total of $920,975 in contributions to the Housing Trust Fund. One additional project is currently under construction (shown in orange): 215 Commercial Street, which will contain 15 rooms and will contribute $70,380 into the Housing Trust Fund. This project is a smaller-scale renovation of a former office space in the Old Port. The remaining five projects have received approval but have not yet begun construction. If built, the six remaining projects would add 753 new hotel rooms to the city. If all 12 projects are constructed as approved, they would collectively generate approximately $4.5 million in contributions to the Housing Trust Fund and would create 1,010 new hotel rooms.

Table 2: Approved Hotel Projects Subject to Hotel IZ Regulations[1]					
Address	Common Name	Approval Year	Total Rooms	Fee-in-Lieu	Status
121 Middle Street	Docent's Collection	2019	26	$72,314	Construction Complete
1 Center Street	Canopy by Hilton	2019	135	$513,810	Construction Complete
754 Congress Street	The Longfellow Hotel	2020	48	$182,688	Construction Complete
54 Yok Street	The Weldon Hotel	2024	14	$65,562	Construction Complete
178-184-Middle Street	Docent's Collection	2023	19	$86,602	Under Construction
215 Commercial Street	-	2024	15	$70,380	Under Construction
477 Congress Street	Time & Temperature	2023	181	$849,252	Approved

1060 Westbrook Street	Hyatt Jetport	2024	119	$558,348	Approved
465 Congress Street	Monument Hotel	2024	92	$431,664	Approved
385 Congress Street	Fathom	2023	179	$815,882	Approved
245 Commercial Street	Portland Harbor Hotel Expansion	2024	52	$243,984	Approved
203 Fore Street	Home 2 Suites	2025	130	$628,030	Approved
Total	**12**		**1,010**	**$4,518,516**	

1. Project data related to approved hotel developments, including room counts, status, and fee contributions, was compiled by Planning & Urban Development Department staff based on site plan application records maintained by the City of Portland. Information reflects the status of projects as of September 17, 2025

Regarding location, of the 15 projects approved since the City implemented its hotel IZ policy, approximately 53% or eight projects (699 rooms), are located in the City's B-3 Downtown Business zone; a zone which includes the Old Port and the Arts District and which abuts the City's iconic working waterfront. The B-3 zone is recognized as the region's hub for arts, culture, commerce, and civic life, where hotel development is anticipated and encouraged. For comparison, between 2019 and 2024, the City also approved 1,695 residential dwelling units within the B-3 zone, as can be seen in the City of Portland Housing Dashboard. Collectively, this hotel and residential development reflects strong and balanced growth, aligning with the goals outlined in *Portland's Plan 2030*, which reinforces downtown as the primary hub of activity for the region.

Outside of the B-3 zone, recent hotel projects have generally been located in areas where hotel development is anticipated. Two projects are in the B-5 zone, one at Thompson's Point and the other at 54 York Street, which is located just outside the B-3 zone near Commercial Street and the Old Port and Portland's working waterfront. One project is located within the India Street Form-Based Code District, a mixed-use area directly adjacent to downtown and the Old Port. Another hotel is included in the master development plan for Portland Foreside, a large mixed-use project in the B-6 zone on the Eastern Waterfront. One project is situated in the Airport Business (A-B) zone, an area typically associated with airport-related uses and business travel. Another project is located along Congress Street in the West End neighborhood within the B-2b zone. Finally, a hotel was approved as part of a contract zone on Great Diamond Island. Together, these projects illustrate that while hotel development is concentrated in Portland's downtown core, it is also occurring in other mixed-use and business districts consistent with the City's broader zoning framework.

Table 3: Approved Hotel Projects by Zone (2019-2025)[1]		
Zone	Total Hotel Projects	Total Rooms Approved
B-2b	1	48
B-3	8	699
B-5	2	162
B-6	1	128
A-B	1	119
IS-FBC	1	130
Contract Zone	1	8
Total	**15**	**1,294**

1. Project data related to approved hotel developments, including room counts, status, and fee contributions, was compiled by Planning & Urban Development Department staff based on site plan application records maintained by the City of Portland. Information reflects the status of projects as of September 17, 2025

In terms of size, there is no evidence of a significant trend toward hotels with fewer than 10 rooms as a way to avoid hotel IZ requirements. The average size of hotels operating before the adoption of the hotel IZ policy was 89 rooms, compared to an average of 86 rooms for hotels approved since its implementation. Only one project approved since 2019 has had fewer than 10 rooms.

More recently, however, a notable trend has emerged toward smaller-scale hotels with fewer than 30 rooms. These boutique-style properties offer an alternative to traditional accommodations, often featuring apartment-style suites with full kitchens, dining and living areas, and private bedrooms. They typically operate with limited on-site staff, minimal amenities, mobile check-in, and no centralized reception. Four recent projects—121 Middle Street, 178–184 Middle Street (Docent's Collection), 215 Commercial Street, and 54 York Street (The Weldon Hotel)—fit this model. While these developments were required to comply with hotel IZ regulations, they represent a growing and distinct segment of the hospitality market, blurring the line between traditional hotels and short-term rentals.

C. Recode Zoning Changes

As part of the ReCode initiative adopted by the City Council on November 4, 2024, hotels are now prohibited in the B-1, B-2b, and TOD-1 zones. These districts are intended to support neighborhood- and community-oriented retail, business, and service uses within an urban development pattern. They are also designed to support mixed-use development and moderate- to high-density housing in locations served by high-frequency transit, where walking, biking, and transit use are encouraged. By prohibiting hotels in these zones, the City is prioritizing housing and mixed-use projects in neighborhoods where they are most needed, while directing hotel development to districts better suited for such uses.

ReCode also updated the definition of "hotel" within the land use code. The revised definition clarifies that hotels are multi-room commercial facilities with centralized reception, management, and cleaning services. This change was made to distinguish traditional hotels from emerging non-

traditional models that function more like short-term rentals, ensuring the ordinance responds effectively to evolving trends in the hospitality market.

D. Updated Fee Amount Based Upon 2025 Updated Linkage Fee Study

Cities often use linkage fees to offset the impacts of new development. Before establishing a linkage fee, communities typically conduct a study that formally and systematically establishes the nexus, or the 'link,' between new development and the fee's purpose. In the case of the City's hotel IZ policy, a linkage fee study was completed in 2018 to document the nexus between hotel development and demand for affordable housing (Attachment F). The basic principle of the study, which was conducted by the Greater Portland Council of Governments (GPCOG), is that new hotel development creates new jobs, attracts new households to fill those jobs, and therefore generates demand for new affordable housing.

When the hotel IZ policy was created, it was also the intent that the linkage fee would be periodically updated. Following the implementation of the hotel moratorium in late 2024, City staff requested an updated linkage fee analysis from GPCOG, which was provided to the City in March of 2025 (Attachment G). It is important to note that GPCOG's current work did not include an evaluation of the 2018 fee study methodology, but instead, simply replicated the original methodology, which calculated a fee based on the affordability gap between hotel employee household income and the annualized cost to rent a market-rate two-bedroom apartment, using current-day income and housing cost assumptions. In almost all cases, the current study used the same data sources as the 2018 study. The one exception was for housing cost data, where the original data source was no longer available. Due to this change in the availability of data, GPCOG supplied three possible updated fee-in-lieu figures, based on three alternative rental cost data sources (the City of Portland Rent Board reports, American Community Survey, or HUD Fair Market Rent). These updated fee-in-lieu figures range from $9,520 to $10,620 to $13,731 per room, depending on the rent data source.

III. PUBLIC MEETINGS

A. Housing and Economic Development Committee Meeting

On April 15, 2025, Planning & Urban Development Department (PUD) staff met with the City Council's Housing and Economic Development Committee to discuss background and development trends related to the City's hotel inclusionary zoning ordinance (Attachment E). At this meeting, staff presented three alternatives for updated fee-in-lieu amounts, based on the updated GPCOG linkage fee study (Attachment G). While there was general acknowledgment of the updated fee-in-lieu alternative, a question was raised about the methodology used to develop the City's current inclusionary zoning hotel linkage fee. It was suggested that staff consider exploring an alternative approach, linking the new fee to the cost of constructing affordable dwelling units needed to meet the demand generated by hotel development, rather than basing it on the affordability gap between a typical hotel employee household and the median market-rate rental cost.

B. Planning Board Workshop

On July 8, 2025, Planning staff presented an overview of two methodologies for recalibrating the City's existing hotel inclusionary zoning (IZ) fee to the Planning Board. These approaches were informed by direction from the Housing and Economic Development Committee, as well as updated housing and wage data. The first methodology was developed by GGPCOG in 2018, and quantified the gap between the annualized cost of renting a two-bedroom apartment in Portland and what a typical hotel employee household could reasonably afford to pay, based on a conservative 28% affordability threshold. Using present-day data, this model produced a revised fee of up to $13,731 per hotel room.

The second approach, developed by staff in response to HEDC feedback, calculated the number of affordable housing units needed to meet the demand generated by new hotel development. It then allocated a share of the development costs of those units back to hotel projects on a per-room basis. While this "unit production model" offers a defensible alternative, similar to commercial/hotel linkage fee programs adopted in communities such as Boston, MA and Somerville, MA (see staff's July 8th Planning Board memo for more information), staff identified several technical and policy challenges with this methodology. Most notably, refining this approach would require a new nexus study to support any revised fees, which would be both costly and time-intensive. In addition, staff's review of nexus studies prepared for Boston and Somerville revealed that the final fees implemented in those communities were substantially reduced based on feasibility considerations. Ultimately, the resulting fees were comparable to those recommended in the 2025 GPCOG hotel linkage fee nexus study for Portland, raising questions about whether the added complexity of the unit production model would provide meaningful benefit relative to the City's current methodology.

Planning Board members reviewed both methodologies and ultimately expressed strong consensus around the original GPCOG approach, citing its defensibility, clarity, and alignment with the City's overarching housing goals.

1. Planning Board Feedback:

While the Board unanimously supported having the staff proceed with an amendment using the original fee-in-lieu methodology as outlined in the 2025 GPCOG Nexus Study, the Board raised several additional points that warrant further discussion.

a. Consider Hotel and Residential Inclusionary Zoning Jointly

The Board requested that staff consider the City's hotel and residential inclusionary zoning policies in tandem, to ensure alignment and consistency across the two frameworks.

Staff Response: As background, in July 2025 the City issued a Request for Proposals (RFP) to hire a consulting team to evaluate the residential inclusionary zoning ordinance. The evaluation will examine whether the policy is meeting its intended goals, how it is affecting overall housing production, and where adjustments may be needed to improve or recalibrate the program.

Proposals are currently under review, and staff anticipate that the study will begin in the fall of 2025.

While the City of Portland identifies its hotel linkage fee as "hotel inclusionary zoning," it is more accurately understood as a form of commercial linkage fee, which differs in both purpose and structure from a traditional residential inclusionary zoning ordinance. As noted throughout this report, a linkage fee is based on the premise that new commercial development, such as hotels, generates jobs that increase demand for housing, including affordable housing. To address this impact, the fee requires the developer to contribute toward the creation of new affordable units within the community.

By contrast, residential inclusionary zoning applies to new housing development and requires a percentage of units within a project to be set aside as workforce or affordable housing. This approach is designed to produce mixed-income housing directly within residential developments, promoting economic diversity at the project level.

City staff view these as two distinct policy tools, each aimed at a different sector of the development market and intended to achieve different outcomes. For that reason, the City is electing to evaluate the hotel linkage fee and the residential inclusionary zoning policy separately, to ensure that each continues to function effectively in meeting its specific objectives.

b. Consider the Impact of Hotel and Residential Inclusionary Zoning on Real Estate Development
The Board requested that the City consider whether hotel and residential inclusionary zoning policies have a material impact on a developer's decision to develop either a hotel or residential project within the City of Portland.

Staff Response: Staff recognize that an important policy objective is to ensure that hotel and residential inclusionary zoning requirements are calibrated so that neither development type is disproportionately burdened relative to the other. While the current policies may not have identical impacts, Portland continues to see both residential and hotel projects moving forward, as reflected in the City's Housing Dashboard and in the data presented in this report. In response to clear direction from the City Council, staff are actively studying both policies and may ultimately make recommendations regarding recalibration. The hotel IZ fees have already been reassessed using updated wage and housing cost data, and a comparable review of the residential IZ policy will follow. The overarching goal is to maintain fairness across development types while ensuring that both continue to generate workforce housing and meaningful contributions to the City's Housing Trust Fund. Furthermore, there is no evidence to suggest that a developer's decision to pursue a hotel project versus a residential project has been influenced by the City's inclusionary zoning policies or associated fees. Most hotel projects have been proposed and completed by developers specializing in commercial and hotel development, with their decisions driven by market conditions rather than zoning policies related to hotels or residential uses.

c. Evaluate Whether the City's Hotel Inclusionary Zoning Policy is Considered an Impact Fee
During its deliberations, the Planning Board raised the question of whether the hotel linkage fee under consideration should be legally viewed as an "impact fee" under State law, and whether municipalities in Maine are authorized to adopt such a fee.

Staff Response: City staff coordinated with Corporation Counsel's Office to develop the following response.

The City's hotel inclusionary zoning policy, which includes a hotel linkage fee, is permissible under Maine law and consistent with the City's home rule authority. While the State's impact fee statute (30-A M.R.S. § 4354) lays out specific categories of off-site infrastructure that can be funded through impact fees, those impact fees are not the only type of fee a municipality can assess. Impact fees are just one example of how towns and cities can require development to mitigate the cost burden of development on municipalities.

The Maine law court has adopted a four-part criteria for analyzing whether an assessment imposed is a permissible fee as opposed to an improper tax. Specifically, a fee must 1) be primarily focused on raising revenue for regulatory goals; 2) create benefits to those who are assessed as well as to those who are not; 3) be voluntary; and 4) be a fair approximation of the cost to the government and of the benefit to the party. Here, all four of those criteria are met.

Housing affordability is a well-documented local concern, and hotel development has been determined by the City's nexus study to contribute to increased housing demand. The sole purpose of the hotel linkage fee is to raise revenue to promote the regulatory goal of increasing the stock of affordable housing in the City. The fee provides a benefit to hotels because it helps provide affordable housing for local staff needed to operate hotel businesses and benefits the entire community by increasing the affordable housing stock and promoting housing accessibility and stability in the City. The fee is also voluntary because property owners are not required to build a hotel on their property and because developers may choose to provide low-income housing unit(s) for rent in the City as an alternative to paying the fee. Finally, the linkage fee is based on a data-driven formula that is designed to respond directly and proportionately to the impact of the proposed development. The revenue generated is contributed to the Housing Trust Fund, which will be used as specified in Section 17.3.1 in the Land Use Code to promote the regulatory goals of creating more affordable housing and thereby provide benefit to the community.

Finally, it's worth noting that State law already gives municipalities a role in shaping affordable housing outcomes, including the ability to adopt inclusionary zoning provisions (30-A M.R.S. § 4364). The City's hotel linkage fee is consistent with that broader framework, and represents a reasonable, data-driven way to balance continued development with the need for more workforce housing in Portland.

IV. FINANCIAL FEASIBILITY ASSESSMENT

Following the July 8th Planning Board meeting, the City engaged Colliers International to conduct a third-party feasibility assessment (Attachment H) on a range of potential fee levels. In their assessment, Colliers evaluated the financial impact these fee amounts would have on three separate development scenarios:

1. A 48-room urban hotel in downtown Portland.

2. A 120-room hotel near the Portland International Jetport.

3. A hypothetical 85-room hotel representative of the median hotel size developed in Portland over the past decade.

The analysis assessed the financial viability of each scenario under three potential updated fees:

1. $4,831 per room, or the City's current (2025) hotel IZ fee-in-lieu amount.

2. $13,731 per room, the highest potential fee amount generated by the 2025 GPCOG Nexus Study

3. $28,835 per room, a higher fee modeled in response to feedback from Councilor Sykes, who noted that the current methodology only considers one year of rental affordability gap. To arrive at this number, the highest potential fee in the GPCOG study was multiplied by the median tenure of a hotel employee (2.1 years), as identified by the Bureau of Labor Statistics for the year 2024.

As part of this study, Colliers International evaluated the financial feasibility of hotel development in Portland under different linkage fee scenarios. They reviewed both year-round and peak summer data on local hotel performance, including room rates and revenues. Using standard industry methods, Colliers modeled typical revenues and expenses for each project. They then tested how different fee levels would affect a developer's ability to finance and build a hotel. The analysis identified the point at which a higher linkage fee would begin to tip a project from being feasible to becoming more risky or potentially infeasible.

Their key takeaways are provided below:

- The current fee of $4,831 per room is below what today's housing costs and wages would justify.
- The mid-range fee of $13,731 per room is financially supportable in most scenarios. Beyond this point, however, projects are more likely to encounter narrower margins and heightened financial risk.
- Fees above $13,731 per room could discourage certain projects or reduce investor interest.

Colliers' assessment demonstrates that the City's current hotel linkage fee is outdated and set too low, and that a recalibrated fee at or below $13,731 per room better reflects current market realities while remaining feasible for most hotel projects.

V. STAKEHOLDER OUTREACH

Staff conducted targeted outreach to members of the hospitality industry, prominent hotel developers active within the City, the Portland Regional Chamber of Commerce, and the Maine Real Estate Development Association (MEREDA). While overall feedback on the proposed fee changes has been limited, staff have received substantive comments from two recent hotel developers. Both indicated that the highest fee level modeled by Colliers ($28,835 per room) would have been cost-prohibitive and likely would have prevented their projects from moving forward.

One response emphasized the role hotels play in Portland's economy, noting that new hotel development fuels tourism, sustains downtown restaurants and shops, and enhances the City's reputation as a premier travel destination. One independent hotel operator expressed concern that higher fees may disproportionately impact smaller, locally owned projects, limiting their ability to compete with larger national chains. They also noted that many independent hotels offer competitive wages and make positive contributions to the community.

Stakeholders acknowledged that hotel development can increase housing demand by adding jobs, and agreed that the City should continue to pair tourism growth with policies that incentivize housing production. Overall, respondents cautioned that while moderate increases to the current fee may be supportable, fee levels at the upper end of the scenarios modeled would create significant financial challenges and could discourage new projects.

VI. RECOMMENDATION

Should the Board elect to recommend updating the hotel IZ policy based on the most recent nexus study, staff would suggest the following:

A. Amend Article 17.2.4 to Update the Hotel IZ Fee-in-Lieu

A redlined version of Article 17 showing the proposed revisions is included as Attachment A.

As outlined above in this report, the nexus study prepared by GPCOG identified three potential fee levels, each developed using the same methodology but drawing on different data sources for the median cost of a two-bedroom apartment in Portland. The Colliers International Feasibility Assessment concluded that all three fee levels are generally supportable, including the highest defensible fee of $13,731 per room.

Staff would recommend adopting a hotel inclusionary zoning fee of $9,520 per room, based on the City of Portland Rent Board's locally sourced data. This dataset provides the most accurate reflection of median rental costs in Portland and therefore represents the strongest basis for recalibrating the fee. In making this recommendation, staff also recognize that the hotel IZ fee is

one of several development-related costs that affect a project's bottom line, alongside other municipal fees and requirements. This fee amount would increase contributions to the Housing Trust Fund while remaining feasible in Portland's market, with consideration for the costs associated with both new construction and adaptive reuse projects that support the City's economic vitality.

At this level, the fee would represent a significant increase over the current requirement and would equate to about $14 per square foot. This amount falls within the range of fees charged in comparable communities, as shown in the table included in this report, and would bring Portland's policy into closer alignment with peer jurisdictions, as further detailed in staff's July 8th memo to the Planning Board.

Table 4: Overview of Peer Community Linkage Fees[2]			
Jurisdiction	**Year of Study**	**Maximum Defensible Hotel Fee[1]**	**Current Fee**
Boston, MA	2022	$80.20 per SF	$23.09 per SF
Somerville, MA	2017	$86.43 per SF	$3.10 per SF
San Diego, CA	2013	$5-$6 per SF	$1.28 per SF, Adjusted Annually by Consumer Price Index (CPI)
Culver City, CA	2022	$28 per SF	$5 per SF
Santa Rosa, CA	2019	$75 per SF	$3 per SF
Los Angeles, CA	2016	$18.60 per SF	$3.86 - $6.44 per SF
Portland, ME	2025	$13,731 per Room ($20.34/SF)	$4,831 per Room ($7.16/SF)
City's Recommended Fee			
Jurisdiction	**Year of Study**	**Maximum Defensible Hotel Fee[1]**	**Proposed Fee**
Portland, ME	2025	$13,731 per Room ($20.34/SF)	**$9,520 per Room ($14.10 per SF)**

1. As noted above, each of the nexus studies evaluated included a broader set of uses than just hotels. The fee listed would be the fee applicable to hotels, and in certain studies, hotels have a separate fee calculated specifically for hotels, whereas in other studies, the fee may apply to hotels along with other commercial uses.
2. For an overview of the City's review of peer community linkage fee programs, please see the Planning Board's July 8th memo, found here.

For reference, In order to compare the various fees under consideration, the City has modeled all of the potential fees on the median hotel project (85-room) developed here within the City over the past 10 years. As noted above, the City is recommending a revised fee amount of $9,520 per room, which is highlighted in green in the table below.

Table 5: Overview of Hotel IZ Fees on Example 85-Room Hotel				
		Fee Per Room	Fee Per SF[1] (675 SF)	Total Fee
Current	Current Fee	$4,831.00	$7.16	**$410,635.00**
Updated Nexus Study	COP Rent Board data	$9,520.00[2]	$14.10	**$809,200.00**
	ACS Median Rent data	$10,620.00	$15.73	**$902,700.00**
	Fair Market Rent data	$13,731.00	$20.34	**$1,167,135.00**

1. Portland's hotel linkage fee is calculated based upon the number of hotel rooms within the hotel, and not on the basis of the total floor area as is done in other municipalities with a commercial or hotel linkage fee. This makes the comparison of Portland's policy with that of other jurisdictions more challenging. In order to simplify this comparison, staff have converted both the current and potential new rates from a per room to a per square foot ratio, using industry average data (Penner, R. H., Adams, L., & Rutes, W. A. (2013). Hotel design, planning, and development (2nd ed.). Routledge.), which estimates that a typical hotel room results in between 600-750 square feet of floor area (inclusive of common spaces and amenity areas). For the purposes of this comparison, the range has been averaged, resulting in an assumption that the typical hotel development included 675 square feet in total floor area per hotel room.
2. City's recommended fee amount is highlighted in green.

This recommendation is further informed by stakeholder feedback. While feedback was limited, staff did hear concerns that a fee set at the higher modeled level of $13,731 per room could pose financial challenges, particularly for smaller, locally owned hotels, which are common within the city, and which may be less capable of bearing these added costs as compared with national chains.

At the same time, stakeholders acknowledged that hotel development increases housing demand and agreed that new growth should be paired with policies that help address the City's affordability challenges. Taken together, this input suggests that an increase in the fee is warranted, but that setting it at the high end of the modeled range could discourage future projects. Should the fee be increased, staff believe that $9,520 per room strikes an appropriate balance: it meaningfully strengthens the City's housing tools while maintaining feasibility for continued hotel investment.

B. Provision of Affordable Unit Update

Should the Board recommend an amendment to the hotel IZ fee, the redline also updates the ratio of hotel rooms to affordable housing units that applies if a developer chooses to provide units on-site rather than pay the fee. The current ratio, one affordable unit for every 28 hotel rooms, was based on a simple calculation comparing the residential inclusionary zoning fee (per unit) to the hotel fee-in-lieu (per room). Applying the same method with the updated fees ($182,830 per residential IZ unit divided by the proposed $9,520 hotel IZ fee) results in a new ratio of one affordable unit for every 19 hotel rooms. In practice, this means a hotel developer would be

required either to provide one affordable unit for every 19 rooms built, or to pay the updated hotel inclusionary zoning fee.

C. Fee Adjustment Over Time

The City's current hotel inclusionary zoning fee is adjusted annually to account for inflation, as required under Sec. 17.1.8.B of the Land Use Code. At the start of each year, the fee is updated using the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), ensuring that its value keeps pace with changing economic conditions. This methodology has been in place since 2004 around the City's various housing-related programs detailed within Article 17 of the Land Use Code, and staff recommend that this methodology for annual adjustment continue to apply to the recalibrated hotel IZ fee if adopted.

VII. COMPREHENSIVE PLAN ANALYSIS

The proposed amendment to the City's hotel inclusionary zoning ordinance is aligned with the goals and guiding principles articulated in Portland's Plan 2030, the City's adopted Comprehensive Plan. By updating the hotel linkage fee to reflect the current disparity between hotel worker incomes and market-rate housing costs, the amendment strengthens the City's ability to ensure that those who work in Portland have a fair opportunity to live in Portland. In doing so, the amendment directly advances the Plan's emphasis on equity, affordability, and livability as core values guiding Portland's future growth.

The Housing Chapter of Portland's Plan 2030 calls for the City to pursue policies that increase, preserve, and adapt the housing supply to meet the needs and financial capacity of all residents, while reinforcing and refining existing tools such as inclusionary zoning and the Housing Trust Fund. This amendment would directly advance this identified strategy by updating one of the City's key housing tools in response to new data, ensuring that it continues to function effectively and proportionately over time. By recalibrating the hotel linkage fee, the City is strengthening its ability to generate new affordable units and secure greater contributions to the Housing Trust Fund, both of which directly expand the resources available to increase Portland's overall housing supply. In this way, the amendment not only refines an existing tool but also moves the City closer to its core housing objective: ensuring that Portland grows in a manner that creates housing opportunities for people of all incomes and backgrounds.

At the same time, the amendment reinforces broader economic development and livability goals by tying continued growth in the hospitality sector to housing opportunities for the City's workforce. This reflects an understanding that housing affordability is both a matter of equity and a key factor in maintaining a competitive and vibrant economy.

Finally, the amendment embodies Plan 2030's call for strategic, evidence-based policymaking. The recalibration of the fee is grounded in an updated nexus study and a third-party feasibility assessment, ensuring that the revised policy is both defensible and implementable in today's market conditions. This data-informed approach demonstrates the City's commitment to aligning

policy tools with changing circumstances while remaining faithful to the long-term objectives of the Comprehensive Plan.

Specific strategies this amendment is advancing in *Portland's Plan 2030*:

1. Housing Chapter
    a. Build on Existing Programs
        i. Reinforce existing housing tools, policies, and programs while continuing to explore emerging best practices.
        ii. Continue to implement best practices in workforce and affordable housing development such as the Housing Trust Fund, inclusionary zoning, and other tools.
    b. Adopt Measurable Objectives
        i. Consider national best practices in developing metrics.
    c. Explore New Tools
        i. Explore tools that support innovative frameworks for housing creation, stability, and affordability such as but not limited to community land trusts and a Transfer of Development Rights Program.

VIII. PUBLIC COMMENT

One written public comment has been provided on this proposed amendment, which is included as Attachment I. The comment expressed concern that since 2019, hotel development in Portland has produced hundreds of jobs but no affordable units, with developers exclusively choosing fee-in-lieu payments that they believe fall short of meeting housing needs. They argued that assumptions in the current fee model understate the impact of hotel development, particularly the use of an 80% AMI income benchmark and a one-year affordability gap, and urged the Board to consider a higher per-room fee that reflects multiple years of housing need, aligns with actual industry wages, and connects fee collection with projected unit production. The commenter emphasized that Portland faces a severe housing affordability crisis, and cautioned against setting a fee based solely on market feasibility, stressing that inclusionary zoning should be strengthened to deliver meaningful results rather than symbolic compliance.

IX. PROPOSED MOTION

On the basis of material provided in this report dated September 17, 2025, public testimony, and other information provided during the Planning Board's review process and at the September 23, 2025 public hearing, the Planning Board finds that the proposed amendments to Section 17.2.4 of Land Use Code [are / are not] consistent with the City of Portland's comprehensive plan and therefore [recommends / does not recommend] adoption of the proposed amendments to Section 17.2.4 of the land use code to the City Council.

X. ATTACHMENTS

Report Attachments

A. Draft Amendment to Article 17
B. Council Order 77-24/25
C. Council Order 177-24-25
D. Council Order 134-18/19
E. PUD Memo to HEDC – 4.15.25
F. GPCOG Portland Hotel Linkage Fee Study (2018)
G. Updated GPCOG Portland Hotel Linkage Fee Study (2025)
H. Colliers Financial Feasibility Assessment September 2025
I. Public Comment

DRAFT AMENDMENTS TO ARTICLE 17 SUBMITTED FOR PLANNING BOARD CONSIDERATION AT THEIR SEPTEMBER 23, 2025 PUBLIC HEARING

17 HOUSING

17.1 HOUSING PRESERVATION AND REPLACEMENT

17.1.1 Purpose

The purpose of the housing preservation and replacement ordinance is:

A. To promote and facilitate an adequate supply of housing, particularly affordable housing for all economic groups.

B. To limit the net loss of housing units in the city.

C. To preserve housing in zones where housing is permitted in the city for all residents in order to promote the health, safety, and welfare of its citizens.

17.1.2 Applicability

A. Except as otherwise provided in this section, the housing preservation and replacement ordinance shall apply to the loss of three or more dwelling units in a five-year period, provided that such dwelling units were a legally registered residential use as of July 1, 2002. For the purposes of this section, dwelling units shall be as defined in Article 3, but also include rooming units that people rent in or sleep in within lodging houses, dormitories, shelters, and sheltered care group homes.

B. Except as otherwise provided in this section, the housing preservation and replacement ordinance shall also apply to proposals that result in the loss of fewer than three dwelling units which were legally registered residential use as of July 1, 2002 for the purposes of creating surface parking.

C. For the purposes of this section, loss of dwelling units shall mean the elimination or conversion to nonresidential use of a dwelling unit and dwelling units that remain vacant for three years or more or are lost due to demolition unless the vacancy or demolition results from accidents outside of the owner's control, fire, natural disasters, or acts of war.

D. Determination of number of the dwelling units within a structure or structures and the number of units lost will be based on the records of the Building Authority indicating the legal, registered use of the property since July 1, 2002 through the time of application. The actual use of the property for purposes of applicability of this section may be rebutted by the owner by proof of documentary evidence including but not limited to photographs, letters, and sworn affidavits. The Planning Authority may conduct its own investigation of the actual use and shall determine the applicability of this section based on the totality of the evidence.

17.1.3 Exemptions

This section does not apply to:

A. Consolidation, elimination, or reconfiguration of one or more dwelling units within an existing structure, as long as all the resulting units remain as dwelling units after such consolidation, elimination, or reconfiguration, except as provided by (D) below. Conversion of a dwelling unit to a hotel or motel room shall not qualify for the exemption provided by this paragraph.

B. Legally nonconforming dwelling units existing in zones which no longer permit residential uses.

C. Property which has been ordered demolished by the City, pursuant to 17 M.R.S. § 2851, et seq., as amended, except where it is determined by the Building Authority that the deterioration was caused by neglect or lack of maintenance.

D. Paragraph (A) above notwithstanding, the conversion to a nonresidential use of any dwelling units located on the ground floor of a building within a mixed-use zone.

17.1.4 Planning Authority approval required

Notwithstanding any other provision of this section, a proposal to demolish or to convert three or more dwelling units to a nonresidential use in a zone where such use is otherwise permitted must first obtain approval from the Planning Authority. In addition to any other requirements of the Land Use Code, the applicant must submit a statement certifying the number of dwelling units to be demolished or converted to nonresidential use, as well as a description of the characteristics of each of those units.

17.1.5 Tenant notification requirements

Prior to elimination as a result of demolition or conversion to nonresidential use, the owner shall:

A. Provide the Planning Authority a list containing the name of each tenant currently residing in the dwelling units to be demolished or converted to nonresidential use, as well as verification of compliance with tenant notice requirements of this subsection.

B. Deliver to each tenant who occupies such a dwelling unit a written notice to vacate the unit. The notice shall either be sent by certified mail, return receipt requested, or served in-hand. The notice will grant the tenant not less than 90 days from the date of receipt of the notice to vacate the unit.

C. File proof of service of the notice with the Planning Authority.

17.1.6 Housing replacement requirements

A. The Planning Authority shall require, as a condition of approval, that an owner shall replace any dwelling units that are demolished or converted to nonresidential use.

B. This requirement may be satisfied in any one of the following ways, which may be used in combination:

1. *Construction of units.* The construction of housing units within a new structure or a new addition either on site or off-site.

2. *Residential conversion.* The conversion of a nonresidential building to residential use.

17.1.7 Replacement unit requirement

In addition to the foregoing, all replacement units built pursuant to Subsection 17.1.6.B above shall:

A. Be located within the same United States census block group as the parcel from which the dwelling units are being removed or within 1,500 feet of the dwelling units being removed.

B. Not previously have been on the market as of the date of application.

C. Be situated within a development which has not been a candidate for site plan approval as of the date of the application.

D. Be comparable in size to the units replaced. For the purpose of this section, "comparable in size" means that the aggregate size of the replacement units will be no less than 80% of the size of the aggregate of the original units to be replaced and a similar bedroom mix.

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17.1.8 Contribution to the Housing Trust Fund

A. The applicant may meet the requirements of this housing replacement ordinance by depositing $50,000 for each dwelling unit into the City's Housing Trust Fund.

B. Beginning on January 1, 2004 and annually thereafter, the amount of the contribution shall be adjusted by multiplying this amount originally deposited for each unit by a fraction, the denominator of which shall be the "Consumer Price Index for Urban Wage Earners and Clerical Workers ("CPI-W")," U.S. City Average, "All Items Index," as published by the United States Bureau of Labor Statistics ("the index") for January 1, 2003 year, and the numerator of which shall be the index for the same month in each subsequent year. In the event that the index is not then in existence, the parties shall use such equivalent price index as is published by any successor governmental agency then in existence, or, if none, then by such nongovernmental agency as may then be publishing an equivalent price index, in lieu of and adjusted to the index. If the index shall cease to use 1982-84 equals 100 as the basis of calculation, or if a substantial change is made in the terms or number of items contained in the index, the base index shall be adjusted to conform to such change, using such computation thereof, if available, as shall be employed by the United States Department of Labor in computing same. Notwithstanding anything herein to the contrary, contributions made after January 1, 2004 shall not be less than the amount originally required to be deposited for each rooming or dwelling unit.

17.1.9 Performance guarantee

Owners or affiliates must post a performance guarantee in the form of a letter of credit, or other security acceptable to the City attorney, in the amount equivalent to the amount the applicant would have been required to contribute to the City's Housing Trust Fund if the applicant had chosen that option pursuant to Subsection 17.1.8. Such a performance guarantee shall be valid for no more than three years, after which the full amount due shall be provided to the City's Housing Trust Fund if replacement units satisfying the conditions of this housing replacement ordinance do not have certificates of occupancy.

17.1.10 Partial waiver of replacement requirements

A. Any owner who has applied for site plan review for elimination or conversion to nonresidential use of dwelling units may apply to the Zoning Board of Appeals for a partial waiver from the housing replacement requirements of this section. Such waiver may be a downward adjustment of up to 50% of the owner's housing replacement obligation if the owner establishes to the board's satisfaction that:

1. The proposed development is consistent with the Comprehensive Plan.
2. The proposed development provides significant value and benefit to the immediate and surrounding neighborhood, including, but not limited to, community enhancement, social benefits or job creation.
3. The applicant demonstrates with objective evidence that the imposition of the requirements of this section would impose such an economic burden upon the

project relative to its scope that it renders the project impossible to develop.

4. The requested relief does not constitute a grant of a special privilege inconsistent with the limitations upon similar properties.

B. The Zoning Board of Appeals must make positive findings on each of the four criteria above in order for any such adjustment to be valid. An applicant aggrieved of a decision of the Zoning Board of Appeals may appeal a decision under this subsection pursuant to the provisions of Article 2.

17.1.11 Effect of other City ordinances

A. Nothing in this section shall permit the demolition or conversion to nonresidential use of dwelling units in residential property protected by Article 16, except as permitted by that ordinance.

B. A conditional zone may not be used to circumvent the application of this section. The terms of this section shall apply to any conditional zone which involves dwelling units affected by this section. Notwithstanding the foregoing, nothing herein shall be deemed to prevent the City and the applicant from agreeing to terms which exceed those imposed by this section by means of a conditional zone.

17.1.12 Appeals

Any applicant aggrieved by a decision of the Planning Authority under this section may appeal to the Zoning Board of Appeals within 30 days of that decision.

17.2 AFFORDABLE HOUSING

17.2.1 Purpose

It is in the public interest to promote an adequate supply of housing that is affordable to a range of households at different income levels. Therefore, the purpose of this section is to offer incentives to developers to include units of affordable housing within development projects and to require the inclusion of affordable housing units in development projects in certain contexts. In so doing, this section will assist the city in meeting its comprehensive goals for affordable housing, in preventing the overcrowding and deterioration of the limited supply of affordable housing, and promote the health, safety, and welfare of its citizens.

17.2.2 Affordable housing incentives

A. Eligible projects. Under this subsection, eligible projects shall include any development project:

1. That is permissible under the provisions of this Land Use Code in the zone in which it is proposed.
2. That creates new dwelling units, among which is at least one low-income or workforce housing unit for rent or sale, through new construction, substantial alteration of existing structures, adaptive reuse or conversion of a nonresidential use to residential use, or any combination of these elements. Affordable housing units for sale or rent may not differ in exterior design from other units within an eligible project.

B. Reduction of fees. Notwithstanding any other provision of this Land Use Code or Chapter 6 to the contrary, development fees, including site plan review and inspection fees, subdivision review and inspection fees, impact fees,

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TABLE 17-A: AFFORDABLE HOUSING FEE REDUCTIONS

% of New Units That are Low-Income or Workforce	Development Fee Discount	Cost of Work (Building Permit) Fees
10% up to but not including 15%	10% reduction	$9.90 per $1,000
15% up to but not including 20%	15% reduction	$9.35 per $1,000
20% up to but not including 25%	20% reduction	$8.80 per $1,000
25% or more	25% reduction	$8.25 per $1,000

administrative fees, and construction and permit fees as described in Chapter 6 of the City of Portland Code of Ordinances, shall be reduced by the City for an eligible project in the manner described in Table 17-A. Development fees do not include any fees charged for review conducted by any party other than the City.

TABLE 17-B: BONUSES FOR ELIGIBLE PROJECTS

% Low-income or Workforce Units	Density Permitted[1]
10-19%	1.1 x base
20-29%	1.25 x base
30-49%	1.3 x base
50-74%	2.5 x base
>75%	2.5 x base

[1] "Base" is the number of units allowed under the zoning without this bonus but with any other bonuses applied.

C. Expedited review. The Planning Authority shall perform its review of an eligible project in as expedited a manner as is practical, without impairing the scope or thoroughness of the review. The Planning Authority may adopt administrative procedures to prioritize review of eligible projects and facilitate this expedited review. The Planning Board shall make its best efforts to give priority in scheduling workshops and public hearings related to any plans or applications required for an eligible project that are within the Planning Board's jurisdiction, without impairing the scope or thoroughness of its review. At the conclusion of these public meetings, the Planning Board shall promptly issue a decision on all such plans and applications before it for consideration.

D. Density and height bonuses. Notwithstanding any other provision of this Land Use Code to the contrary, in order to encourage low-income and workforce units in areas prioritized for growth, eligible projects as defined under Subsection 17.2.2 may avail themselves of the following options:

1. *Density bonuses.* The maximum number of units that would otherwise be allowed under this Land Use Code shall be increased for an eligible project in the manner described in Table 17-B, applicable where residential is allowed as a permitted or conditional use in mainland zones.
2. *Height bonuses.* In mixed-use zones, the TOD zones, and the RN-6, for eligible projects over ten units in size in which over 75% of units are low-income or workforce units, maximum heights as permitted under Article 7 shall be increased by 10 feet.
3. *Unit size.* In order to be eligible for this subsection, the low-income and workforce housing units must meet Subsections 17.2.3(C)(2), (3), and (4).
4. *Term of affordability.* Affordable units under this subsection shall be deed-restricted to remain affordable for 30

years or the longest term permitted under federal, state, and local laws, whichever is longer. Such deed restrictions shall be recorded in the Cumberland County Registry of Deeds.

17.2.3 Ensuring workforce housing

A. Purpose. Based on the City's Comprehensive Plan and the City's 2015 housing study, it is in the public interest to promote an adequate supply of housing that is affordable to a range of households at different income levels. The purpose of this subsection is to ensure that housing developments over a certain size provide a portion of workforce housing units and, by doing so, promote the health, safety, and welfare of Portland citizens.

B. Applicability. This subsection shall apply to site plan applications that create ten or more new dwelling units for rent or for sale through new construction, substantial alteration of existing structures, adaptive reuse or conversion of a nonresidential use to residential use, or any combination of these elements. This subsection shall not apply to projects that otherwise meet or exceed the standards of 17.2.3(C).

C. Standards. Development projects subject to this subsection shall meet to the following requirements:

1. At least 25% of the units in the project shall meet the definition of workforce housing unit for sale or for rent as defined in Article 3. The project shall have the option of paying a partial fee-in-lieu as per (5) below or providing an additional unit on-site for any fractional value.
2. Projects shall not be segmented to avoid compliance with these provisions.
3. Workforce units must be integrated with the rest of the development, must use a common entrance in the case of mixed market rate and workforce buildings, must provide no indication from the exterior or from areas inside the respective buildings that these units are workforce housing units, and must demonstrate general parity in unit design, finishes, and amenities between market and workforce units in the development. Applications shall include a narrative that addresses parity of workforce and market rate units, a description of workforce and market rate unit attributes and amenities, phasing if applicable, and integration into the respective building and site design.
4. Workforce units need not be the same size as other units in the development but the cumulative number of bedrooms in such units shall be no less than 25% of the total number of bedrooms in the development.
5. As an alternative to providing workforce housing units, projects may pay a fee-in-lieu of some or all of the units. In-lieu fees shall be paid into the Housing Trust Fund. The fee for affordable units not provided

TABLE 17-C: MINIMUM TERM OF AFFORDABILITY FOR REQUIRED WORKFORCE UNITS

% of Workforce Units Provided	Minimum Term of Affordability
25%	30 years
50%	20 years
100%	10 years

shall be $150,000 per unit, adjusted annually in the same way as the fee under Subsection 17.1.8.

6. Workforce housing units for sale, if converted to workforce housing units for rent, shall become subject to the income limits and other requirements of such units.
7. The term of affordability for the required 25% workforce units provided shall be defined as shown in Table 17-C.
8. Projects shall be subject to an affordable housing agreement with the City of Portland, unless a project is otherwise subject to such an agreement requiring an equal or greater percentage of affordable units at an equal or lower income target level than required by this section.

D. **Density and height bonuses.** Projects that are subject to this subsection shall be eligible for density and height bonuses under Subsection 17.2.2(D).

E. **Implementation guidance.** The Housing & Economic Development Department shall provide guidance on income verification methods, affordable housing agreements, and subsequent monitoring requirements.

F. **Reporting to City Council.** In conjunction with the annual report on the Housing Trust Fund, the Planning Authority shall annually report on developments subject to this subsection, the number of units produced, the amount of fee-in-lieu collected, and the overall effectiveness of this subsection in achieving its stated purpose.

17.2.4 Inclusionary zoning for hotel projects

A. **Purpose.** This subsection is based on City analysis, most specifically the analysis documented in the Greater Portland Council of Government study *Proposed Hotel Linkage Fee: Supportable Range* dated March 18, 2025, that finds that new hospitality developments create a need for new affordable housing. This need is the result of the fact that hospitality developments necessarily create a number of jobs that do not pay employees at a rate sufficient to allow those employees to afford market-rate housing in the City of Portland.

B. **Hotel projects.** For the purposes of this subsection, hotel projects shall include any hotel as defined in Article 3 consisting of 10 or more guest rooms for rent to transient guests or to extended stay guests of up to six months. Any expansion of an existing hotel by 10 or more rooms within any five-year period will also be considered a hotel project.

C. **Low-income housing minimum.** All hotel projects shall provide one unit of low-income housing for rent in the City of Portland for every 19 rooms in the hotel project, which shall meet the standards outlined in Subsections 17.2.3(C)(2), (3), and (4) and in the implementing regulations governing low-income units. Such units shall contain two bedrooms and be a minimum of 900 SF in floor area. This amount shall be rounded up to the nearest increment of 19 rooms. These units shall be deed restricted for the longest period permitted by law, shall not be used for short-term rentals of less than 30 days, and must be provided with distinct entrances from the street to delineate them from the hotel itself.

D. **Fee-in-lieu alternative.** As an alternative to providing low-income housing units under Subsection 17.2.4(C) above, a hotel project may pay a fee-in-lieu of $9,520 per hotel guest

room. This amount shall be paid into the City's Housing Trust Fund and used for the purposes set forth in the ordinance and regulations applicable to that trust.

E. Annual adjustments. The amounts in Subsection 17.2.4(D) above shall be adjusted annually in the same way as the fee under Section 17.1.8.

F. Implementation guidance. The Housing & Economic Development Department shall provide guidance on income verification methods, affordable housing agreements, and subsequent monitoring requirements.

17.3 JILL C. DUSON HOUSING TRUST FUND

17.3.1 Purpose

The purpose of enacting this section is:

A. To establish a City of Portland Housing Trust Fund for the promotion, retention, and creation of an adequate supply of housing, particularly affordable housing, for all economic groups and to limit the net loss of housing units in the city.

B. To serve as a vehicle for addressing very low, low, and moderate income housing needs through a combination of funds as set out in this article.

17.3.2 Establishment of the Jill C. Duson Housing Trust Fund

The City Council shall establish a special revenue account under the name "City of Portland Jill C. Duson Housing Trust Fund" (Housing Trust Fund). Deposits into the fund shall include:

A. Contributions from the City's housing replacement ordinance under Subsection 17.1.8.

B. In-lieu fees under Subsections 17.2.3 and 17.2.5.

C. Funds appropriated to be deposited into the fund by vote of the City Council.

D. Voluntary contributions of money or other liquid assets to the fund.

E. Any federal, state, or private grant or loan funds provided to the fund.

F. Interest from fund deposits and investments.

G. Repayments of loans made from the fund.

17.3.3 Management of the trust fund

The City Manager, or their designee, shall serve as the manager of the Housing Trust Fund. The responsibilities of the manager, subject to the orders of the City Council, shall include:

A. Maintaining the financial and other records of the Housing Trust Fund.

B. Disbursing and collecting Housing Trust Fund monies in accordance with the Housing Trust Fund annual plan.

C. Monitoring the use of monies distributed to successful applicants for Housing Trust Fund support to assure on-going compliance with the purposes of the fund and the conditions under which these monies were granted or loaned.

17.3.4 Housing Trust Fund annual plan

A. Each fiscal year, the City Council shall adopt a Housing Trust Fund annual plan. The City Manager shall submit to the City Council a recommended Housing Trust Fund annual plan, utilizing the revenues of the Housing Trust Fund as well as any other funds the manager may propose as appropriate. The housing committee of the City Council or such other committee as the council shall designate shall conduct public hearings on the recommended

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plan and refer the matter to the council for action.

B. The Housing Trust Fund annual plan shall include:

1. A description of all programs to be funded in part or in full by the Housing Trust Fund.

2. A description of how funds from the Housing Trust Fund will be distributed among very low-income, low-income and moderate-income households.

3. The amount of funds budgeted for programs funded in part or in full from the Housing Trust Fund.

C. Priority for the expenditure of funds collected pursuant to Section 17.1 shall be given to the creation of new housing stock, through either new construction or conversion of nonresidential buildings to residential use.

17.3.5 Distribution and use of the Housing Trust Fund's assets

A. All distribution of principal, interest, or other assets of the Housing Trust Fund shall be made in furtherance of the public purposes set out in Section 17.1.

B. During each year, the Housing Trust Fund shall disburse as grants or loans so much of the Housing Trust Fund's assets as the City Council in its discretion has approved in the Housing Trust Fund annual plan.

C. Funds shall not be used for City administrative expenses.

D. Funds shall not be used for property operating expenses or supporting services.

E. No grants or loans shall be awarded by the Housing Trust Fund to corporations, partnerships, or individuals who are delinquent at the time of application in the payment of property taxes or other fees to the City of Portland, who have been convicted of arson, who have been convicted of discrimination in the sale or lease of housing under the fair housing laws of the State of Maine, or who have pending violations of current City electrical, plumbing, building, or housing codes or zoning ordinances.

17.3.6 Term of affordability

A. Whenever funds from the Housing Trust Fund are used for the acquisition, construction, or substantial rehabilitation of an affordable rental or cooperative unit, the City of Portland shall impose enforceable requirements on the owner of the housing unit that the unit remain affordable for the remaining life of the housing unit, assuming good faith efforts by the owner to maintain the housing unit and rehabilitate it as necessary. The remaining life of the housing unit shall be presumed to be a minimum of 30 years.

B. Whenever funds from the Housing Trust Fund are used for the acquisition, construction, or substantial rehabilitation of ownership housing, the City of Portland shall impose enforceable resale restrictions on the owner to keep the housing unit affordable for the longest feasible time, while maintaining and equitable balance between the interests of the owner and the interests of the City of Portland.

C. The affordability restriction requirements described in this subsection shall run with the land and the City of Portland shall develop appropriate procedures and documentation to enforce these requirements and shall record such documentation in the Cumberland County Registry of Deeds.

17.4 CONDOMINIUM CONVERSION

17.4.1 Purpose

The purpose of this section is to regulate the conversion of rental housing to condominiums, to minimize the potential adverse impacts of such conversion on tenants, to ensure that such converted housing is safe and decent, and to maintain a reasonable balance of housing alternatives within the city for persons of all incomes.

17.4.2 Applicability

This section shall apply to the conversion of any rental unit to a condominium unit. For the purposes of this section, developer shall mean any person or other legal entity, but not including an established lending institution unless it is an active participant in a common promotional scheme, who, whether acting as principal or agent, records a declaration of condominium that includes real estate, any portion of which was previously a rental unit.

17.4.3 Protection of tenants

A. Notice of intent to convert. A developer shall give to each tenant, meaning any occupant in lawful possession of a rental unit, whether by lease, sublease, or otherwise, written notice of intent to convert at least one 120 days before the tenant is required by the developer to vacate. If a tenant has been in possession of any unit within the same building for more than four consecutive years, the notice period shall be increased by 30 additional days for each additional year, or fraction thereof, to a maximum of 240 additional days. The notice shall set forth specifically the rights of tenants under (A), (B), and (C) of this subsection and Subsection 17.4.4, and shall contain the following statement:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Department of Permitting & Inspections, City of Portland, 389 Congress Street, Portland, Maine 04101.

B. If the notice specifies a date by which the tenant is required to vacate, the notice may also serve as a notice of termination under the applicable law of forcible entry and detainer, if it meets the requirements thereof. The notice shall be hand delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be effective when actually received. No tenant may be required by a developer to vacate without having been given notice as required herein, except for the reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of a tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease. If, within 120 days after a tenant is required by a developer to vacate, the developer records a

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declaration of condominium without having given notice as required herein, the developer shall be presumed to have converted in violation of this article.

C. **Option to purchase.** For a 60-day period following the giving of notice as required in Subsection 17.4.3(A), the developer shall grant to the tenant an exclusive and irrevocable option to purchase the unit of which the tenant is then possessed, which option may not be assigned. If the tenant does not purchase or contract to purchase the unit during the 60-day period, the developer may not convey or offer to convey the unit to any other person during the following 180 days at a price or on terms more favorable than the price or terms previously offered to the tenant, unless the more favorable price or terms are first offered exclusively and irrevocably to the tenant for an additional 60-day period. This subsection shall not apply to any rental unit that, when converted, will be restricted exclusively to nonresidential use. If, within two years after a developer records a declaration of condominium, the use of any such unit is changed such that but for the preceding sentence, this subsection would have applied, the developer shall be presumed to have converted in violation of this article.

17.4.4 Relocation payments

If the tenant does not purchase the unit, the developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two months, provided that this requirement shall not apply to any tenant whose gross income exceeds 80% of the median income of the Portland SMSA, adjusted for family size, as determined by the U.S. Department of Housing and Urban Development at the time notice is given as required in Subsection 17.4.3. Additionally, the developer shall, upon demand, provide assistance to the tenant in the form of referrals to other reasonable accommodations and in determining the tenant's eligibility for relocation payments as provided herein.

17.4.5 Conversion permit

Before conveying or offering to convey a converted unit, the developer shall obtain a conversion permit from the Building Authority. The permit shall issue only upon receipt of a completed application therefore in a form to be devised for that purpose, payment of a fee of $25,000 per converted unit, to be adjusted annually in the same way as the fee under Chapter 14, Section 17.1.8 of this code, at least $1,000 of which shall be appropriated to the Housing Safety Office for the administration and enforcement of the Rent Stabilization Ordinance, Chapter 6, Articles XII and XIII of this code, and the remainder of which shall be paid into the Jill C. Duson Housing Trust Fund, and a finding, upon inspection, that each unit, together with any common areas and facilities appurtenant thereto, is in full compliance with all applicable provisions of Chapter 6, Articles II, III, and V and Chapter 10, Article II of the City of Portland Code of Ordinances, and the Life Safety Code as adopted by the state. The developer shall post a copy of the permit in a conspicuous place in each unit and shall make copies available to prospective purchasers upon request.

17.4.6 Variation by agreement

No provision of or right conferred by this Section 17.4 may be waived by a tenant, by agreement or otherwise, and any such waiver shall be void. Any attempt to require, encourage, or induce a tenant to waive any provision hereof, or right conferred hereby, shall be a violation of this article. Nothing herein shall be construed to void any term of a lease which offers greater rights than those conferred hereby.

17.5 RELOCATION OF DISPLACED TENANTS

17.5.1 Purpose

The purpose of this section is to encourage the retention of a diverse housing supply throughout the downtown and in areas readily accessible to the downtown, to ensure that persons displaced as the result of redevelopment of residential units to nonresidential uses within the B-3 Downtown Business zone are treated fairly and consistently, and to ensure that persons so displaced will be relocated at the reasonable expense of the developer to comparable housing at a location providing comparable access to services and amenities.

17.5.2 Notice and eligibility for relocation assistance

When a proposed development will result in the displacement of residents of an existing structure, the developer of the property shall give all tenants written notice as set forth below and shall provide relocation assistance as set forth below for any tenant whose gross income is 80% or less of the median income of the Portland SMSA, adjusted for family size, as determined by the U.S. Department of Housing and Urban Development at the time the developer gives the tenant written notice of intent to cause removal of the residential unit. Such written notice shall be given to the tenant at least 120 days before the tenant shall be required to vacate the premises and shall contain the following statement:

> *The developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101.*

17.5.3 Relocation assistance for all tenants

The developer shall provide, upon demand, assistance to all tenants who will be displaced by the development in the form of referrals to other reasonable accommodations and in determining the tenants' eligibility for relocation payments as provided herein. The developer shall make relocation payments to eligible tenants in accordance with the schedule adopted by the City Council in Subsection 17.5.4.

17.5.4 Schedule of relocation payments for eligible tenants

The developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two months.

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Order 77-24/25 Passage as amended: 6-2 on 11/04/2024 (Mayor Dion & Councilor Rodriguez-No, Councilor Fournier Absent)
Motion to waive second reading: Passed 7-1 (Dion-No, Fournier absent)
Motion to amend effective until date to 5/3/2024 if passed as an emergency and to send any changes made to the Planning Board. - Passed 7-1 (Dion-No, Fournier absent)
Motion to refer to HEDC Committee-Failed 3-5 (Sykes, Ali, Phillips, Trevorrow, Pelletier-No, Fournier absent)
Motion to pass as an emergency: Failed 6-2 (Dion & Rodriguez No, Fournier absent)

Effective 12/04/2024

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER(A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

ORDER ESTABLISHING A 180-DAY MORATORIUM ON NEW HOTEL PROJECTS IN THE CITY OF PORTLAND

WHEREAS, the City of Portland faces a critical shortage of affordable housing;

WHEREAS, in January 2019, by Order 134-18/19, the City Council adopted an inclusionary zoning ordinance for hotel projects as set forth in Section 18.2.5 of the City's Land Use Code (the "Hotel Inclusionary Zoning Ordinance"); and

WHEREAS, hotel projects create many jobs that do not pay employees at a rate sufficient to allow those employees to afford market rate housing in Portland, and the purpose of the Hotel Inclusionary Zoning Ordinance was to address that demand; and

WHEREAS, the Hotel Inclusionary Zoning Ordinance currently requires developers of hotel projects to provide one unit of low-income long-term rental housing for every 28 rooms in the hotel project or to pay a fee-in-lieu of such units to the Jill C. Duson Housing Trust Fund in the amount of $4,692 for each guest room in the hotel project; and

WHEREAS, since 2019, nine hotel projects have been approved, are under review, are under construction, or have been constructed, including 801 guest rooms; and

WHEREAS, the developers of those hotel projects have provided no low-income long-term rental units and will generate only about $3,556,000 in fees to the Jill C. Duson Housing Trust Fund; and

WHEREAS, the hotel projects that have been constructed since 2019 are projected to create approximately 489 jobs, many of which are expected to pay below 60% of the area median income; and

WHEREAS, hotel development continues to be robust and competes with housing development in Portland;

WHEREAS, the Hotel Inclusionary Zoning Ordinance has not been substantially changed since its initial passage in 2019 and is inadequate to prevent serious public harm caused by hotel development, including the lack of sufficient affordable housing for hotel employees employed at new hotels;

WHEREAS, a temporary 180-day prohibition on approval for new hotel projects is appropriate in order to allow the City time to review and amend the Hotel Inclusionary Zoning Ordinance as necessary to ensure that there is sufficient affordable housing for hotel employees and otherwise prevent a worsening of the housing crisis; and

WHEREAS, in the judgment of the City Council for the City of Portland, these facts create an emergency within the meaning of 30-A M.R.S. § 4356(1) (A) and the City Charter, requiring immediate action to prevent serious public harm; and

NOW, THEREFORE, pursuant to its authority in 30-A M.R.S. §§ 3001 and 4356, the Portland City Council hereby ordains that a Moratorium is imposed, effective immediately, on any and all applications and approvals for hotel projects, except that this Moratorium does not apply to any hotel projects that have any applications with the City or the Planning Board that are currently under review by the City or the Planning Board or that have already been approved by the City or Planning Board (the "Existing Hotel Projects"); and

BET IT ORDERED, that that no permit applications for any hotel project, other than the Existing Hotel Projects, shall be accepted, processed, or reviewed by the City or the Planning Board for the period of this Moratorium; and

BE IT FURTHER ORDERED, that those provisions of the City's Land Use Code that are inconsistent or conflicting with the provisions of this Moratorium, are hereby repealed to the extent that they are applicable for the duration of this Moratorium, but not otherwise; and

BE IT FURTHER ORDERED, that during the time that this Moratorium is in effect, the City's Housing and Economic Development Committee shall review the Hotel Inclusionary Zoning Ordinance and identify policy concerns for the Planning Board to consider in developing potential amendments to the ordinance for consideration by the City Council; and

BE IT FURTHER ORDERED, that this Moratorium shall remain in effect until the earlier of the effective date of necessary amendments to the Hotel Inclusionary Zoning Ordinance or June 2, 2025, unless extended, repealed, or modified by the Portland City Council; and

BE IT FURTHER ORDERED, that to the extent any provision of this Moratorium is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium that shall remain shall be considered valid.

Order 177-24/25
Passage: 9-0 on 5/5/2025

Effective 5/15/2025

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER (A/L)
BENJAMIN GRANT (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

ORDER EXTENDING FOR 180 DAYS THE MORATORIUM ON NEW HOTEL PROJECTS IN THE CITY OF PORTLAND ESTABLISHED BY ORDER 77-24/25

WHEREAS, the City of Portland continues to face a critical shortage of affordable housing; and

WHEREAS, in January 2019, by Order 134-18/19, the City Council adopted an inclusionary zoning ordinance for hotel projects as set forth in Section 18.2.5 of the City's Land Use Code (the "Hotel Inclusionary Zoning Ordinance"); and

WHEREAS, hotel projects create many jobs that do not pay employees at a rate sufficient to allow those employees to afford market rate housing in Portland, and the purpose of the Hotel Inclusionary Zoning Ordinance was to address that demand; and

WHEREAS, the Hotel Inclusionary Zoning Ordinance currently requires developers of hotel projects to provide one unit of low-income long-term rental housing for every 28 rooms in the hotel project or to pay a fee-in-lieu of such units to the Jill C. Duson Housing Trust Fund in the amount of $4,692 for each guest room in the hotel project; and

WHEREAS, since 2019, nine hotel projects have been approved, are under review, are under construction, or have been constructed, including 801 guest rooms; and

WHEREAS, the developers of those hotel projects have provided no low-income long-term rental units and will generate only about $3,556,000 in fees to the Jill C. Duson Housing Trust Fund; and

WHEREAS, the hotel projects that have been constructed since 2019 are projected to create approximately 489 jobs, many of which are expected to pay below 60% of the area median income; and

WHEREAS, hotel development continues to be robust and competes with housing development in Portland; and

WHEREAS, the Hotel Inclusionary Zoning Ordinance has not been substantially changed since its initial passage in 2019 and is inadequate to prevent serious public harm caused by hotel development, including the lack of sufficient affordable housing for hotel employees employed at new hotels; and

WHEREAS, a 180-day prohibition on approval for new hotel projects was approved by Order 77-24/25 on November 4, 2024 to allow the City time to review and amend the Hotel Inclusionary Zoning Ordinance as necessary to ensure that there is sufficient affordable housing for hotel employees and otherwise prevent a worsening of the housing crisis; and

WHEREAS, as required by Order 77-24/25, the City's Housing and Economic Development Committee met on April 15, 2025 and received a presentation from Planning staff outlining potential amendments to the Hotel Inclusionary Zoning Ordinance; and

WHEREAS, Planning staff anticipate presenting proposed amendments to the Planning Board in June 2025; and

WHEREAS, the existing Moratorium is scheduled to expire on June 2, 2025, prior to consideration of proposed amendments by the Planning Board and City Council; and

WHEREAS, the conditions that gave rise to the original moratorium persist, and the City is actively working to address them by pursuing amendments in accordance with the process initiated by Order 77-24/25.

NOW, THEREFORE, pursuant to its authority in 30-A M.R.S. §§ 3001 and 4356, the Portland City Council hereby extends the existing Moratorium for an additional one hundred and eighty (180) days through November 29, 2025, effective immediately, on any and all applications and approvals for hotel projects, except that this Moratorium does not apply to any hotel projects that have any applications with the City or the Planning Board that are currently under review by the City or the Planning Board or that have already been approved by the City or Planning Board (the "Existing Hotel Projects"); and

BE IT ORDERED, that no permit applications for any hotel project, other than the Existing Hotel Projects, shall be accepted, processed, or reviewed by the City or the Planning Board for the extended period of this Moratorium; and

BE IT FURTHER ORDERED, that those provisions of the City's Land Use Code that are inconsistent or conflicting with the provisions of this Moratorium, are hereby repealed to the extent that they are applicable for the duration of this Moratorium, but not otherwise; and

BE IT FURTHER ORDERED, that during the time that this extended Moratorium is in effect, the City's Housing and Economic Development Committee, with the assistance of

Housing and Economic Development and Planning staff, shall continue to review the Hotel Inclusionary Zoning Ordinance and identify policy concerns for the Planning Board to consider in developing potential amendments to the ordinance for consideration by the City Council; and

BE IT FURTHER ORDERED, that this Moratorium shall remain in effect until the earlier of the effective date of necessary amendments to the Hotel Inclusionary Zoning Ordinance or November 29, 2025, unless further extended, repealed, or modified by the Portland City Council; and

BE IT FURTHER ORDERED, that to the extent any provision of this Moratorium is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium that shall remain shall be considered valid.

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HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

HELD ON 4/15/2025 RE HOTEL INCLUSIONARY ZONING ORDINANCE

Item #2: Discussion: Hotel Inclusionary Zoning Ordinance and identify policy concerns for the Planning Board to consider in developing potential amendments to the Ordinance for consideration by the City Council

Kevin Kraft presented the history, background, and development trends related to the City's hotel inclusionary zoning ordinance. Nell Donaldson presented GPCOG's Nexus and Linkage Fee Study.

According to lodging license data from the Maine Department of Health and Human Services, there are currently 41 licensed lodging places in the City of Portland, with approximately 3,500 total rooms. 68% of these hotels have been developed since 2000, with 18 (44%) having been developed since 2010. In 2019, the City proposed and established a hotel inclusionary zoning ordinance. In the case of the City's IZ policy, a linkage fee study was completed in 2018 to document the nexus between hotel development and demand for affordable housing. The current linkage fee-in-lieu is $4,831 per guest room. When the hotel policy was created, it was also the intent that the linkage fee would be periodically updated. In early 2025, City staff requested an updated fee-in-lieu analysis from GPCOG. Based on available data sources, GPCOG supplies three possible update fee-in-lieu figures based on three alternative rental cost date sources. These figures range from $9,520 to $10,620 to $13,731 per room, depending on the rent date source used.

Staff is providing three options on moving forward. With committee guidance, staff is recommending the hotel moratorium be extended to allow time for staff to draft proposed Land

Use Code revisions for Planning Board review (in May/June) and eventually for consideration by the full City Council (in June/July).

The Committee held a discussion regarding the study methodology, and intended outcomes. Questions regarding the linkage fee, wage rates, number of hotel employees in Portland, creating housing affordable for hotel employees, and other methods to measure how to address the housing crisis were discussed. The Committee also noted that to create municipal led public housing, there would need to be a massive, revolving housing trust fund. Staff asked the Committee for their goal for the Hotel Inclusionary Zoning ordinance - is it to create the housing units required in the ordinance or is it to support investment into the Housing Trust Fund to leverage funding to create a greater amount of affordable housing?

Councilor Sykes noted the benefits of municipal led public housing is greater efficiency when compared to developers in the private market, and for that reason, leans towards trying to get a larger fee (that is more in line with what it costs to create housing) and try to capitalize a fund the City could use to produce publicly-owned housing.

Councilor Phillips indicated she would like to meet with the Planning Department.

Councilor Michniewicz asked staff to discuss their recommendation for option 2 ("raise IZ fee-in-lieu and reduce applicable threshold").

Staff noted the current fee-in-lieu has not discouraged hotel development, so there is the thought there is room to increase the fee. Also, the current fee was calculated based on data from at least 2018 or earlier, so there is needed updating. Recalibrating the fee includes considering the impact on local developers. The fee should not be set so high that the unintended consequence is limiting the pool of developers from local and large commercial developers to only large commercial developers. Reducing the threshold from applying to projects that include

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ten or more guest rooms would maintain consistency with changes made during ReCode.

Councilor Sykes indicated she leans towards option 2, but thinks the fee is far too low. The fee should be at a place that does not completely disincentivize hotel development. Larger corporations that are building hotels are probably in a place that is much easier for them to absorb the fee-in-lieu. Therefore, maybe tier the fee on the cost of the hotel room or ask the developer what the rate would be to rent a room for a week and then have that be the fee-in-lieu.

The Committee held a discussion on directing staff on how to proceed. Staff will implement the changes requested by the Committee, then bring the revised proposal to the Planning Board who would then make a recommendation to the City Council for consideration.

To allow the time necessary to conduct this work and hold the public hearings, the Committee directed staff to bring an extension request to the City Council to extend the moratorium from ending on June 2 to ending an additional six months from that date.

Councilor Ali opened the meeting to public comment. Seeing no one, the public comment period was closed.

On a motion by Council Sykes, seconded by Councilor Michniewicz, the Committee voted 4-0 to recommend to the City Council extension of the current 180-day moratorium on new hotel projects and expansions to allow time for a review of the Hotel Inclusionary Zoning ordinance.

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City of Portland | Planning & Urban Development Department
Kevin D. Kraft, AICP *Director*

Staff Memo To:
Housing & Economic Development Committee
Councilor Pious Ali, Chair

MEETING DATE
April 15, 2025

AGENDA ITEM
Agenda Item 2 – Hotel Inclusionary Zoning Ordinance

PURPOSE
An initial discussion on the history, background, and development trends related to the City's hotel inclusionary zoning ordinance, with the committee providing direction on next steps.

COMMITTEE WORK PLAN/CITY COUNCIL GOAL ALIGNMENT
On December 16, 2024, the City Council established its 2025 Common Goals, outlining policy priorities and guiding the development of Council committee work plans. The Housing & Economic Development Committee (HEDC) identified the review and potential revision of the hotel inclusionary zoning ordinance (Chapter 14, Section 17.2.4) as a policy matter aligned with Council Common Goal #2: "*The Council will work to implement solutions to the housing crisis, including building more working class housing, improved support for the unhoused community such as an overdose prevention center as well as continued support for warming shelters. Additionally conduct independent assessment of Efficiencies, Outcomes, and Expenditures.*"

At its January 21, 2025 meeting, the HEDC established its 2025 work plan, which includes reviewing and considering potential revisions to the City's existing hotel inclusionary zoning ordinance.

BACKGROUND/ANALYSIS
On November 4, 2024, the City Council passed Order 77-24/25 (6-2, Mayor Dion & Councilor Rodriguez - No, Councilor Fournier Absent) (Attachment A) establishing a 180-day moratorium on new hotel projects in the City of Portland. The moratorium went into effect on December 4, 2024 and is set to expire on June 2, 2025.

Portland's Hotel Inventory & Development Trends
According to lodging license data from the Maine Department of Health and Human Services, there are currently 41 licensed lodging places in the City of Portland, with approximately 3,500 total rooms. 68% of these hotels have been developed since 2000, and 18 (44%) have been developed since 2010.

History of Hotel IZ policy
In 2019, the City proposed and established a hotel inclusionary zoning (IZ) ordinance. The requirement applies to hotel projects with 10 or more rooms and any hotel expansions of 10 or more rooms within any five-year period. To meet the requirement, hotel projects can provide one unit of low-income housing for rent within the city for every 28 hotel rooms. Portland considers a low-income housing unit to mean one that is rented to households earning 80% AMI or less. The other alternative is for a hotel project to pay a linkage fee (fee-in-lieu) with a 2019 basis of $3,806 per room, which is deposited into the City's Housing Trust Fund at the time the Certificate of Occupancy is issued. The linkage fee is adjusted annually; the 2025 hotel inclusionary fee-in-lieu is $4,831 per guest room.

The impetus for the creation of a hotel inclusionary zoning ordinance was a steady rise in hotel/inn/motel development between 2012 and 2018. Local and national data indicated that job creation in the hospitality industry would involve a considerable amount of workforce households at average wage rates below what was required to afford housing in Portland at the time. As a result of the specifics of the industry's profile and anticipating an increase in hotel/inn/motel development in the coming years, the hotel inclusionary zoning ordinance was adopted on January 23, 2019, Order 134-18/19 (Attachment B) and became effective on February 22, 2019.

Hotel development post IZ policy
Since adoption of the ordinance in 2019, 14 projects have been approved. Of the 14 projects three hotel projects approved in that timeframe were not subject to hotel inclusionary zoning requirements (Table 1). One project was too small (<10 rooms) to trigger the requirement and the other two were products of approved master development plans (Thompsons Point and Portland Foreside), which gave them pending proceeding status under the pre-inclusionary zoning code.

Table 1: Approved Hotel Projects Exempt From Hotel IZ Regulations

Address	Common Name	Approval Year	Total Rooms	Status
148 Coveside Drive	Diamond Cove	2024	8	Approved
Thompson's Point	Forefront Hotel	2023	148	Under Construction
58 Fore Street	Portland Foreside	2023	128	Approved
Total	**3**		**284**	

Of the 11 remaining projects (Table 2), four have been constructed and completed, resulting in a combined total of 223 rooms. Each of these projects elected to contribute to the Housing Trust Fund, generating a total of $834,373 in contributions. Two additional projects are currently under construction: The Docent's Collection at 178–184 Middle Street, which will contain 19 rooms and contribute $86,602 into the Housing Trust Fund and 215 Commercial Street, which will contain 15 rooms and contribute $70,380 into the housing trust fund. Both are smaller-scale renovations of

former office spaces in the Old Port. The remaining five projects have received approval but have not yet begun construction. If built, the five remaining projects would add an additional 623 new rooms. If all 11 projects are constructed as approved, they would collectively generate approximately $3.8 million in contributions to the Housing Trust Fund and 880 hotel rooms.

Table 2: Approved Hotel Projects Subject To Hotel IZ Regulations

Address	Common Name	Approval Year	Total Rooms	Fee-in-lieu	Status
*121 Middle Street	Docent's Collection	2019	26	$72,314	Construction Complete
1 Center Street	Canopy by Hilton	2019	135	$513,810	Construction Complete
754 Congress Street	The Longfellow Hotel	2020	48	$182,688	Construction Complete
54 York Street	The Weldon Hotel	2024	14	$65,562	Construction Complete
178-184 Middle Street	Docent's Collection	2023	19	$86,602	Under Construction
215 Commercial Street	-	2024	15	$70,380	Under Construction
477 Congress Street	Time & Temperature	2023	181	$849,252	Approved
1060 Westbrook Street	Hyatt Jetport	2024	119	$558,348	Approved
465 Congress Street	Monument Hotel	2024	92	$431,664	Approved
385 Congress Street	Fathom	2023	179	$815,882	Approved
245 Commercial Street	Portland Harbor Hotel Expansion	2024	52	$243,984	Approved
TOTAL	**11**		**880**	**$3,890,486**	

121 Middle Street – Awaiting fee-in-lieu payment for 7 additional rooms, which are included in the total room count.

In terms of location, of the 14 projects approved since the implementation of the Hotel IZ policy, approximately 57%, a total of eight projects (699 rooms) are located in the City's B-3 Downtown Business zone. This zone spans from roughly Franklin Street to State Street and includes the Old Port, Arts District, and abuts the waterfront areas recognized as the region's core for arts, culture, commerce, and civic life, where hotel development is both anticipated and encouraged. For comparison, between 2019 and 2024, the City also approved 1,695 residential dwelling units within the B-3 zone, reflecting strong and balanced growth in both hotel and residential

development. This trend aligns with the goals outlined in *Portland's Plan 2030*, which reinforces downtown as the region's primary hub of activity for the region.

The remaining hotel projects are also located in areas where hotel development is generally expected. Two projects are in the B-5 zone—one at Thompson's Point and the other at 54 York Street, just outside the B-3 zone near Commercial Street and the Old Port/Waterfront Central neighborhoods. One project, part of the master development plan for the Portland Foreside mixed-use development, is located in the B-6 zone in the Eastern Waterfront. Another is situated in the Airport Business (A-B) zone, an area commonly associated with airport-related uses and business travel. Finally, one project was approved as part of a contract zone on Great Diamond Island.

Approved Hotel Projects by Zone (2019–2024)

Zone	Total Hotel Projects	Total Rooms Approved
B-2b	1	48
B-3	8	699
B-5	2	162
B-6	1	128
A-B	1	119
Contract Zone	1	8
TOTAL	**14**	**1,164**

In terms of size, there is no clear evidence of a significant trend toward smaller hotel projects (<10 rooms) as a means of avoiding Hotel IZ requirements. The average size of hotels operating prior to the adoption of the IZ policy was 89 rooms, compared to an average of 83 rooms for hotels approved since its implementation. Only one project approved since 2019 has been under 10 rooms. However, a notable emerging trend in hotel development is the rise of smaller-scale hotels with fewer than 30 rooms, offering an alternative to traditional accommodations. These boutique-style properties typically feature apartment-style suites with fully equipped kitchens, separate dining and living areas, and private bedrooms. They often operate with limited on-site staff, minimal amenities, and rely on mobile check-ins and lacking a centralized reception area. Four such projects—121 Middle Street, 178–184 Middle Street (Docent's Collection), 215 Commercial Street, and 54 York Street (The Weldon Hotel)—fit this model. While these developments were still required to comply with Hotel IZ regulations, they reflect a growing and distinct segment of the hospitality market that tend to operate more in the vein of short term rentals.

ReCode Zoning Changes

As part of the City's ReCode initiative, adopted by the City Council on November 4, 2024, new hotels are now prohibited in the B-1, B-2b, and TOD-1 zones. The purpose of these zones is to support neighborhood- and community-oriented retail, business, and service establishments within a more urban development pattern. They are intended to foster mixed-use development and moderate- to high-density housing in urban neighborhoods that align with the City's investment in high-frequency transit infrastructure, encouraging walking, biking, and public transit use. By prohibiting hotels in these zones, the City prioritizes housing and mixed-use developments and directs hotels to designated areas better suited for such uses.

ReCode also included changes to the definition of "hotel" within the land use code. These changes were designed to more clearly define hotels as multi-room commercial facilities with centralized reception, management, and cleaning services, and to address the emerging trend toward non-traditional forms of hotel development more akin to short-term rentals.

Inclusionary Zoning Fee-in-Lieu Assumptions

Linkage fees are often used by cities as a way to offset the impacts of new development. Before establishing a linkage fee, communities typically conduct a study that formally and systematically establishes the nexus, or the 'link,' between new development and the fee's purpose. In the case of the city's hotel IZ policy, a linkage fee study was completed in 2018 to document the nexus between hotel development and demand for affordable housing (Attachment C). The basic principle of the study, which was conducted by the Greater Portland Council of Governments (GPCOG), is that new hotel development creates new jobs and attracts new households to fill those jobs, and that new affordable housing is necessary to accommodate them.

When the hotel policy was created, it was also the intent that the linkage fee would be periodically updated. Although no specific timeframe was established for these updates and in anticipation of upcoming discussions regarding the current Hotel IZ fee amounts, City staff requested an updated fee-in-lieu analysis from GPCOG in early 2025 (Attachment D). It is important to note that GPCOG's current work did not include an evaluation of the 2018 fee study methodology, but instead simply replicated the original methodology using current day income and housing cost assumptions. In almost all cases, the current study used the same data sources as the 2018 study; the one exception was for housing cost data, where the original data source was no longer available. Because of this change in the availability of data, GPCOG supplied three possible updated fee-in-lieu figures, reflecting three estimated affordability gaps based on three alternative rental cost data sources (the City of Portland Rent Board reports, American Community Survey, or HUD Fair Market Rent). These figures range from $9,520 to $10,620 to $13,731 per room, depending on the rent data source used.

For purposes of comparison, staff conducted an initial analysis of the potential impact of these three possible fees, based on an average sized hotel in the City of Portland of 85 rooms. Under the possible fees, the total inclusionary zoning contribution for a hotel of this size would range from $809,164 to $902,720 to $1,167,120. The total contribution for an 85 room hotel at the 2025 hotel IZ figure of $4,831 per room would be $410,635.

NEXT STEPS:

If the summary and recommendations for changes to the existing Hotel IZ ordinance align with the committee's and City Council's priorities, the City can proceed in several possible directions:

1. **Option 1 - Raise IZ fee-in-lieu:** This option would increase the hotel IZ fee-in-lieu based on the estimated affordability gap identified in the 2025 GPCOG study. Staff seeks committee direction on the preferred fee amount based on the rent data source used. Based on the Council's direction, the housing unit per room requirement within hotel inclusionary zoning policy would also be adjusted.

2. **Option 2 - Raise IZ fee-in-lieu & reduce applicability threshold:** In addition to raising the hotel IZ fee-in-lieu based on the estimated affordability gap from the GPCOG study, this option would amend the definition of a "Hotel project" to apply to any size hotel, rather than the current requirement of only applying to projects that include 10 or more guest rooms. Based on the Council's direction, the housing unit per room requirement within hotel inclusionary zoning policy would also be adjusted.

3. **Option 3 - Maintain existing fee-in-lieu & reduce applicability threshold:** This option would retain the existing hotel IZ fee-in-lieu while reducing the applicability threshold. The definition of a "Hotel project" would be amended to include any hotel, rather than only those with 10 or more guest rooms. As in Option 2, the threshold of >10 rooms would be removed, making the IZ requirements applicable to all hotel projects. Based on the Council's direction, the housing unit per room requirement within hotel inclusionary zoning policy would also be adjusted.

FISCAL IMPACT

The hotel IZ policy has resulted in $834,374 in contributions to the housing trust fund, with just over $3 million in anticipated revenues from approved projects pending construction. The fee-in-lieu amount is adjusted annually. If the fee is updated to more accurately reflect current incomes and housing costs, assuming that hotel development trends hold steady, contributions to the housing trust fund could be expected to increase significantly.

CONCLUSION(S)

This item is for discussion and direction. If the committee supports the presented options and provides additional guidance on revisions, staff recommends that the hotel moratorium be extended to allow time for staff to draft proposed Land Use Code revisions. These revisions would then be reviewed by the Planning Board, which will provide a recommendation on a text amendment to update the Hotel Inclusionary Zoning ordinance for consideration by the full City Council. Following the Planning Board's recommendation, the amendment will move forward to the full City Council for consideration and final decision.

PRIOR COMMITTEE REVIEW

N/A

PREPARED BY

Kevin Kraft, AICP
Director
Planning & Urban Development

Nell Donaldson
Director of Special Projects
Planning & Urban Development

ATTACHMENTS

Attachment A – Hotel Moratorium Order 77-24/25
Attachment B – Hotel IZ Ordinance Order 134-18/19
Attachment C - GPCOG Linkage Study 2018
Attachment D - GPCOG Linkage Study 2025
Attachment E - Hotel IZ Ordinance - Chapter 14

Order 77-24/25 Passage as amended: 6-2 on 11/04/2024 (Mayor Dion & Councilor Rodriguez-No, Councilor Fournier Absent)
Motion to waive second reading: Passed 7-1 (Dion-No, Fournier absent)
Motion to amend effective until date to 5/3/2024 if passed as an emergency and to send any changes made to the Planning Board. - Passed 7-1 (Dion-No, Fournier absent)
Motion to refer to HEDC Committee-Failed 3-5 (Sykes, Ali, Phillips, Trevorrow, Pelletier-No, Fournier absent)
Motion to pass as an emergency: Failed 6-2 (Dion & Rodriguez No, Fournier absent)

Effective 12/04/2024

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL D. FOURNIER(A/L)
ROBERTO RODRÍGUEZ (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

ORDER ESTABLISHING A 180-DAY MORATORIUM ON NEW HOTEL PROJECTS IN THE CITY OF PORTLAND

WHEREAS, the City of Portland faces a critical shortage of affordable housing;

WHEREAS, in January 2019, by Order 134-18/19, the City Council adopted an inclusionary zoning ordinance for hotel projects as set forth in Section 18.2.5 of the City's Land Use Code (the "Hotel Inclusionary Zoning Ordinance"); and

WHEREAS, hotel projects create many jobs that do not pay employees at a rate sufficient to allow those employees to afford market rate housing in Portland, and the purpose of the Hotel Inclusionary Zoning Ordinance was to address that demand; and

WHEREAS, the Hotel Inclusionary Zoning Ordinance currently requires developers of hotel projects to provide one unit of low-income long-term rental housing for every 28 rooms in the hotel project or to pay a fee-in-lieu of such units to the Jill C. Duson Housing Trust Fund in the amount of $4,692 for each guest room in the hotel project; and

WHEREAS, since 2019, nine hotel projects have been approved, are under review, are under construction, or have been constructed, including 801 guest rooms; and

WHEREAS, the developers of those hotel projects have provided no low-income long-term rental units and will generate only about $3,556,000 in fees to the Jill C. Duson Housing Trust Fund; and

WHEREAS, the hotel projects that have been constructed since 2019 are projected to create approximately 489 jobs, many of which are expected to pay below 60% of the area median income; and

WHEREAS, hotel development continues to be robust and competes with housing development in Portland;

WHEREAS, the Hotel Inclusionary Zoning Ordinance has not been substantially changed since its initial passage in 2019 and is inadequate to prevent serious public harm caused by hotel development, including the lack of sufficient affordable housing for hotel employees employed at new hotels;

WHEREAS, a temporary 180-day prohibition on approval for new hotel projects is appropriate in order to allow the City time to review and amend the Hotel Inclusionary Zoning Ordinance as necessary to ensure that there is sufficient affordable housing for hotel employees and otherwise prevent a worsening of the housing crisis; and

WHEREAS, in the judgment of the City Council for the City of Portland, these facts create an emergency within the meaning of 30-A M.R.S. § 4356(1) (A) and the City Charter, requiring immediate action to prevent serious public harm; and

NOW, THEREFORE, pursuant to its authority in 30-A M.R.S. §§ 3001 and 4356, the Portland City Council hereby ordains that a Moratorium is imposed, effective immediately, on any and all applications and approvals for hotel projects, except that this Moratorium does not apply to any hotel projects that have any applications with the City or the Planning Board that are currently under review by the City or the Planning Board or that have already been approved by the City or Planning Board (the "Existing Hotel Projects"); and

BET IT ORDERED, that that no permit applications for any hotel project, other than the Existing Hotel Projects, shall be accepted, processed, or reviewed by the City or the Planning Board for the period of this Moratorium; and

BE IT FURTHER ORDERED, that those provisions of the City's Land Use Code that are inconsistent or conflicting with the provisions of this Moratorium, are hereby repealed to the extent that they are applicable for the duration of this Moratorium, but not otherwise; and

BE IT FURTHER ORDERED, that during the time that this Moratorium is in effect, the City's Housing and Economic Development Committee shall review the Hotel Inclusionary Zoning Ordinance and identify policy concerns for the Planning Board to consider in developing potential amendments to the ordinance for consideration by the City Council; and

BE IT FURTHER ORDERED, that this Moratorium shall remain in effect until the earlier of the effective date of necessary amendments to the Hotel Inclusionary Zoning Ordinance or June 2, 2025, unless extended, repealed, or modified by the Portland City Council; and

BE IT FURTHER ORDERED, that to the extent any provision of this Moratorium is deemed invalid by a court of competent jurisdiction, the balance of the Moratorium that shall remain shall be considered valid.

Order 134-18/19
Passage: 9-0 on 1/23/2019 Effective 2/22/2019

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

AMENDMENT TO PORTLAND CITY CODE CHAPTER 14
RE: HOTEL PROJECT INCLUSIONARY ZONING

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:

That Chapter 14, Sections 14-484, 14-485 and 14-488.1 is hereby amended to read as follows:

Sec.14-484. Purpose.

It is in the public interest to promote an adequate supply of affordable housing for the city's residents. The purpose of this division therefore is to offer incentives to developers to include units of affordable housing within development projects, thereby mitigating the impact of market rate housing construction, or the demonstrated increase in affordable housing needs resulting from the creation of new lower-income jobs, on the limited supply of available land for suitable housing and helping to meet the housing needs of all economic groups within the city. The city believes that this division will assist in meeting the city's comprehensive goals for affordable housing, in the prevention of overcrowding and deterioration of the limited supply of affordable housing, and by doing so promote the health, safety and welfare of its citizens.

...

Sec. 14-485. Definitions.

...

Eligible project means a development project:

...

(d) Projects shall not be considered "eligible projects" solely because they are subject to Section 14-487 ("Ensuring Workforce Housing").

Hotel Project is any hotel, inn or motel, as defined in Section 14-47 of Chapter 14 of the Portland City Code, consisting of 10 or more guest rooms for rent. Any such development that exists prior to the effective date of this Section but expands by 10 or more rooms within any 5 year period will also be considered a hotel project.

...

14-488.1 Inclusionary Zoning for Hotel Projects

(a) **Purpose:** This section is based on City analysis, most specifically the analysis documented in the Greater Portland Council of Government study "Proposed Hotel Linkage Fee: Supportable Range" dated August 29, 2018, that finds that new hospitality developments create a need for new affordable housing. This need is the result of the fact that hospitality developments necessarily create a number of jobs that do not pay employees at a rate sufficient to allow those employees to afford market-rate housing in the City of Portland.

(b) **Hotel Projects Conditional Uses:** Notwithstanding anything to the contrary in Chapter 14, all hotel projects are conditional uses subject to Planning Board review on the condition that they comply with the requirements of this Section 14-489.

(c) **Low Income Housing Minimum.** All hotel projects shall provide one unit of Low Income Housing for rent in the City of Portland for every 28 rooms in the hotel project which shall meet the standards outlined in Section 14-487 and in the implementing regulations governing Low Income Units. This amount shall be rounded up to the nearest increment of 28 rooms. These units shall be deed restricted for the longest period permitted by law; shall not be used for Short Term Rentals of less than 30 days; and must be provided with distinct entrances from the street to delineate them from the hotel itself.

(d) **Fee-in-Lieu Alternative:** As an alternative to providing Low Income Housing units under subsection (c) above, a Hotel Project may pay a fee-in-lieu of $3,806 per hotel guest room. This amount shall be paid into the City's Housing Trust

and used for the purposes set forth in the ordinance and regulations applicable to that trust.

(e) **Annual Adjustments:** The amounts in (d) above shall be adjusted annually in the same way as the fee under Division 29 for Housing Replacement.

(f) **Regulations:** The Planning Board may promulgate implementing regulations based on this ordinance.

(g) **Applicability:** Notwithstanding the provisions of 1 M.R.S. § 302, Sec. 14-489 shall apply retroactively and include any and all actions and proceedings pending on September 26, 2018 or thereafter.

To: Jeff Levine, Planning & Urban Development Director
From: Stephanie Carver, GPCOG Planning Director
Date: 8/29/18
RE: Proposed Hotel Linkage Fee: Supportable Range

This memo has been expanded and updated based on additional data provided by the Maine Innkeepers Association.

Introduction

The City of Portland's Department of Planning & Urban Development is examining the feasibility of a proposal for assessing hotel linkage fees that would recover the cost of producing housing that is affordable for hotel employees. The purpose of this memo is to provide information to the City regarding the use of linkage fees for this purpose and outline a potential methodology for the calculation of a fee.

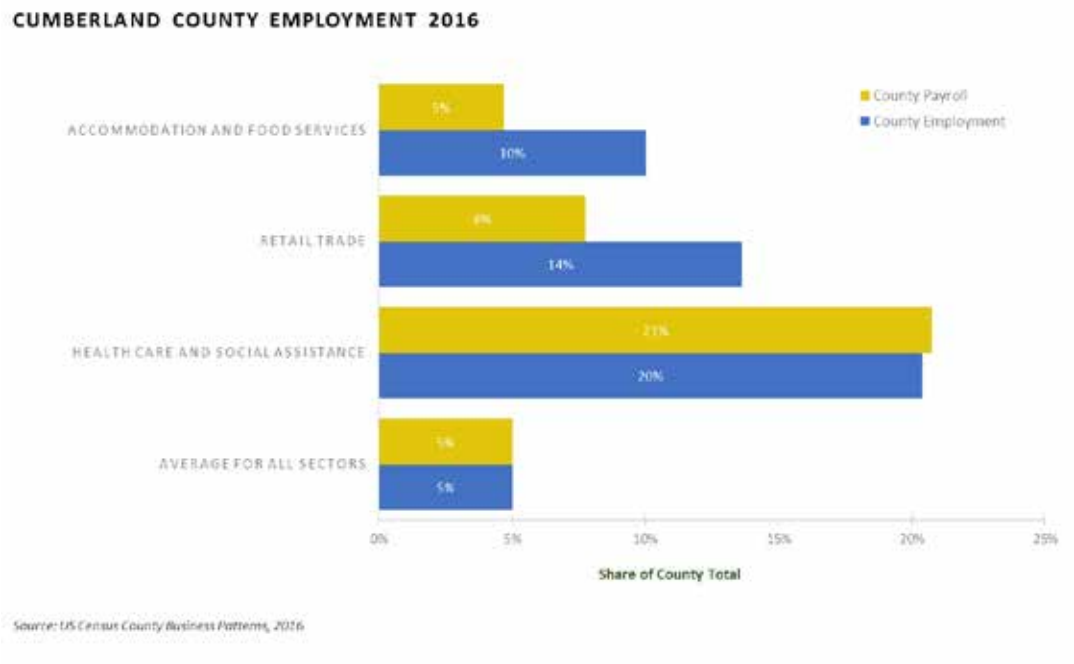
We have used the best available data to demonstrate how this methodology could be used to estimate a potential hotel linkage fee, but this does not constitute a recommendation from GPCOG as to the amount the City of Portland should charge for the hotel linkage fee nor is it a recommendation for the City of Portland to enact a hotel linkage fee ordinance.

Background

Linkage fees are fees that cities may choose to implement to help mitigate the impact of new commercial development on the demand and availability of affordable housing. Prior to implementing a fee policy, communities often conduct a study to identify the connection, or "nexus" between new commercial development and the need for additional affordable housing. It is assumed that new commercial development contributes additional workers to a city's workforce and adds new worker households. In many industries, a percentage of these households do not make enough to live and work in the same city. Looking outside the city to find affordable housing often results in longer commute times and higher transportation costs. If implemented, a linkage fee is typically charged to a developer as a condition of approval and it is assessed based on total square footage or number of units in the development.

The City's Comprehensive Plan identifies the increasing demand for affordable housing as an emerging issue and sets a goal of pursuing "policies to enable people who work in Portland to have the option to live in Portland." To be considered affordable, housing should consume no more than 30% of a household's income including rent, mortgage, utilities and other household related costs. Of the 1,130 housing units that were permitted and/or built in Portland between 2010 to 2014,

including apartments, condominiums and single-family homes, just 29% were offered at a rent or sales price affordable to a household earning the median income[i].



The Maine Office of Tourism estimates over 6 million tourists visited Portland in 2017. Hotel development is steadily increasing, with 1,811,050 square feet of hotel development - representing 2,647 units - currently in operation throughout the City. According to the US Census, the accommodation and food service sector is the third largest share of employment in Cumberland County, representing 10% of the County's workforce but only 5% of the County's payroll.

According to the Maine State Housing Authority the average rent (including utilities) for a two-bedroom apartment in Portland is $1,053 per month, and the household income needed to afford the average rent in Portland is $42,111 per year. However, this is the average rent paid by existing renters in Portland and new households moving to Portland will pay the current market rate, which is generally higher than the average rent. As of June 15, 2018, there are roughly 60 two-bedroom apartments listed for rent in Portland on Zillow, with monthly rents ranging between $1,300-$3,500. One third of those apartments are listed with rents between $1,500 and $2,000, and another third of those apartments are listed for more than $2,000 per month. Therefore, a new household moving to Portland will expect to pay between 120%-330% of the average rent to live in the City.

There are a range of estimates available regarding the average wages of a full-time employee in this sector, and all are well below the household income needed to afford housing in Portland. According to the US Census, the average Cumberland County employee in this sector earns $312 a week or $16,227 per year. The Maine Department of Labor (DOL) estimates the median income for a full-time

Cumberland County employee in this sector to be significantly higher, $24,908 per year. Additionally, as of 2017 the minimum wage in Portland is $10.68/hour, so a full-time employee making this salary would earn an annual income of $22,214. This affordability gap may force accommodation workers employed in Portland to seek housing outside of Portland.

Data

The minimum justified fee per square footage of hotel development outlined in this memo is based on data from both the US Census American Community Survey (ACS), and wage data from the Maine Department of Labor (DOL).

The US Census American Community Survey (ACS) data in this memo was used because it is the most comprehensive and consistent data source for demographic and economic characteristics of the population in GPCOG's service area. However, there are some limitations to the ACS data. First, it is 5-year sample data because this is the only data consistently available at the municipal, county, and state level. The drawback to using data pooled over five years is it averages out any short-term changes in income due to economic cycles or Portland's more recent minimum wage increase. Second, the median earnings reported by the ACS are based on what individuals report for their earnings regardless of whether they work full-time or part-time. As a result, these earnings may be skewed lower by individuals who work part-time, which may be more common for employment in the retail, food service, or accommodation sectors.

To balance these limitations, the median weekly wage data from the Maine DOL was also included in the analysis. The Maine DOL wage data is from the Quarterly Census of Employment and Wages (QCEW), which is based on employment and wage data reported to the Unemployment Insurance (UI) of the United States. The Maine DOL data also has some limitations. First, the data are only available at the industry level, so it is not possible to calculate the affordability gap for different occupations in the hotel sector. Second, the average weekly wage reported by the QCEW also does not differentiate between full-time and part-time employment. As a result, the weekly wage data reported by the Maine DOL may be skewed both by higher wage occupations and by part-time employment. The average weekly wage reported by Maine DOL was used to calculate yearly income based on full-time employment. This also assumes individuals employed in the accommodation sector can work full-time if they are willing and able to[ii].

Methodology

Methodologies used to calculate linkage fees vary, but in most cases the analysis begins with an estimation of the number of new employees associated with a typical development, in this case a hotel. In this methodology, a formula is used to calculate the affordability gap between what workers can afford to pay for housing and the average cost of market rate housing.

In Portland's case, a link is established between the creation of new jobs in the hotel sector and the increased demand for affordable housing through the following steps:

- **New Jobs.** Industry data was used to estimate the number of direct jobs that will be created by a new hotel with 180 units. According to the Urban Land Institute the typical hotel employs between 0.5-0.8 employees per hotel room. Using an average value of 0.65 employees per hotel room, it is estimated that a hotel with 180 rooms will employ 117 people. The current ratio of jobs per household was used to estimate how many households will be created by this new employment.

- **Households.** Currently there are 37,737 employed civilians aged 16 and over within the 30,211 total households in Portland. This means that on average there are 1.2 jobs per every household in Portland. Based on this ratio it is estimated that the 117 additional jobs created by a new hotel will create 94 new households in Portland. However, it is assumed employment in these households will be split up between different occupations, such as management, sales, service, and maintenance. The wages for each specific occupation may be higher or lower than the median wage for the hotel industry. Therefore, industry occupation employment and wage data examined from the ACS was used to estimate how many new households will be low income.

EMPLOYED POPULATION PER HOUSEHOLD 2016

	Portland	Cumberland County	Maine
Employed Civilian Population 16+	37,737	155,014	652,638
Total Households	30,211	117,871	551,109
Jobs/Household	1.2491	1.3151	1.1842

Source: American Community Survey 2016 5-year estimate

- **Jobs by Occupation.** Based on industry and occupation employment data from the ACS 64% of jobs in the hotel industry are service occupations, 19% of hotel jobs are management occupations, 13% of hotel jobs are sales and office occupations, and the remainder are maintenance and transportation occupations. The total number of jobs and households that will be created in each occupation was calculated by multiplying the share of hotel employment by occupation by the total number of new hotel jobs created.

NEW JOBS AND HOUSEHOLDS BY OCCUPATION CREATED BY NEW HOTEL EMPLOYMENT

	Share of Hotel Employment	Number of New Jobs	Number of New Households
Service	**64%**	**74**	**60**
Sales and Office	13%	15	12
Transportation	4%	4	3
Maintenance	1%	1	1
Management	19%	22	18
Total - All Occupations	100%	117	94

Source: American Community Survey 2016 5-year estimate; GPCOG Analysis

- **Household Income**. Median wage by occupation data for Cumberland County from the ACS was used to calculate the household income for each household in each occupation category. This calculation assumes 1 person in each new household works full-time in the hotel industry and any additional workers in the household earn the area median income:

NEW HOUSEHOLDS AND HOUSEHOLD INCOME BY OCCUPATION (ACS DATA)

	Number of New Households	Median Wage for Hotel Income Earner	Median Wage for Second Income Earner	Total Household Income
Service	**60**	**$18,109**	**$9,015**	**$27,124**
Sales and Office	**12**	**$30,444**	**$9,015**	**$39,459**
Transportation	**3**	**$31,695**	**$9,015**	**$40,710**
Maintenance	1	$33,421	$9,015	$42,436
Management	18	$52,910	$9,015	$61,925

Source: GPCOG Analysis and American Community Survey 2016 5-year estimates

Median wage by industry data from the Maine DOL was also used to calculate the average household income for the 94 new households created by hotel employment:

NEW HOUSEHOLDS AND HOUSEHOLD INCOME (MAINE DOL DATA)

	Number of New Households	Median Wage for Hotel Income Earner	Median Wage for Second Income Earner	Total Household Income
Accommodation	**94**	**$24,908**	**$12,164**	**$37,072**

Source: GPCOG Analysis and Maine DOL QCEW 2016

- **Affordability Gap.** These estimates for household income by occupation were compared to housing affordability data from the Maine State Housing Authority to show the difference between what the new households created by hotel employment earn and the minimum income needed to afford a two-bedroom apartment in Portland. These results show that households with Service, Sales and Office, and Transportation occupations have a household income that is lower than the minimum income needed to afford rental housing in Portland. This household affordability gap is largest ($14,987) for households with Service occupations, which also represent nearly 2/3 of households created by the new hotel employment.

AFFORDABILITY GAP ANALYSIS (ACS DATA)

	Number of New Households	Total Household Income	Income Needed to Afford Rent in Portland	Household Affordability Gap	Total Affordability Gap
Service	**60**	**$27,124**	**$42,111**	**$14,987**	**$892,820**
Sales and Office	**12**	**$39,459**	**$42,111**	**$2,652**	**$32,048**
Transportation	**3**	**$40,710**	**$42,111**	**$1,401**	**$4,856**
Maintenance	1	$42,436	$42,111	NA	$0
Management	18	$61,925	$42,111	NA	$0
Total					**$929,724**

Source: Maine State Housing Authority, 2017; American Community Survey 2016 5-year estimates

The household affordability gap using the median wage by industry data from the Maine DOL was also calculated:

AFFORDABILITY GAP ANALYSIS (MAINE DOL DATA)

	Number of New Households	Total Household Income	Income Needed to Afford Rent in Portland	Household Affordability Gap	Total Affordability Gap
Accommodation	**94**	**$37,072**	**$42,111**	**$5,039**	**$472,007**

Source: Maine State Housing Authority, 2017; Maine DOL QCEW 2016

- **Aggregate Affordability Gap.** The household affordability gap for each occupation was multiplied by the number of households with employment in each occupation to arrive at a total affordability gap that ranges between $472,007 and $929,724 per year. This number represents the difference between these households' ability to pay for their housing and the market cost of their housing based on the median monthly rent, for one year. In reality these

households may face higher rental housing costs since current Portland rents for new units are significantly higher than the median rent.

- **Final Calculation.** Dividing the affordability gap by the number of new hotel rooms results in an average affordability gap that ranges between $2,622 and $5,165 per room, or between $3.91 and $7.70 per square foot. Therefore, a fee between ***$3.90-$7.70 per square foot*** would cover a minimum justified housing affordability gap for the 94 new households created by a new 180-unit hotel employment for one year. This methodology assumes the median wage for a hotel income earner in the service industry, including full-time and part-time employees, is $18,109 based on US Census ACS data. If it is instead assumed that hotel service industry employees are working full-time at the City's minimum wage of $10.68/hour and making $22,241 annually, then the minimum justified fee would be between $2,622 and $3,806 per room or ***$3.90-$5.67 per square foot*** of hotel development for one year. However, this assumes individuals working in the service sector are able to procure full-time employment, which is not always the case[ii].

This example estimate represents the full cost of the affordability gap for employment in one hotel for one year as calculated by the proposed methodology. Multiple factors could potentially impact the demand for affordable housing and the City may determine a higher or lower percentage of this fee based on these variables. Furthermore, this fee could be re-evaluated periodically as circumstances such as inflation, rents, and rental housing supply change.

[i] Portland 2030 Housing Demand, GPCOG 2015

[ii] According to a 2016 study (https://www.epi.org/publication/still-falling-short-on-hours-and-pay-part-time-work-becoming-new-normal/#epi-toc-21) from the Economic Policy Institute the retail trade and leisure and hospitality sectors contributed to 63% of the growth in part-time employment and 54% of the growth in involuntary part-time employment from 2007-2015. Involuntary part-time employment is defined as individuals who are working part time because full time work could not be found or hours were reduced due to economic conditions (slack work).

MEMO

To: Kevin Kraft, Director of Planning & Urban Development
From: Kristina Egan, GPCOG Executive Director
Date: 3/18/25
Re: Hotel Linkage Fee Update

Introduction

In 2018, the City of Portland asked the Greater Portland Council of Governments (GPCOG) to assess the feasibility of a hotel linkage fee that could be used to help offset the cost of producing affordable housing for hotel employees. The resulting memo outlined the use of linkage fees for this purpose, proposed a methodology for calculating the fee, and provided a range of justifiable figures for implementation. Using this analysis, the City established inclusionary zoning requirements for hotels and an in-lieu fee of $3,806 per guest room. This figure has been adjusted annually in the time since its adoption. The fee-in-lieu for 2025 is $4,831 per guest room.

Recognizing significant market changes since 2018, the City of Portland requested an updated analysis in early 2025. The following memo replicates the original linkage fee methodology to the best extent possible using updated data.

Background

Linkage fees are tools cities can use to offset the impact of new commercial development on affordable housing availability and demand. Before implementing such a policy, communities typically conduct a study to identify the “nexus” between new development and the need for additional affordable housing. The assumption is that commercial growth brings new workers, some of whom may not earn enough to live in the city. This often forces households to seek housing outside the city, resulting in longer commutes and higher transportation costs. If adopted, a linkage fee is typically charged to developers as a condition of project approval, based on the development’s total square footage or number of units.

Data

Where possible, the hotel linkage fee range in this memo is based on the same data sources used in the original 2018 study. To maintain consistency, 2023 data was used across multiple sources, even when newer data was available in some cases.

Employment + Wage Data

This analysis relies on employment and wage data from the U.S. Census American Community Survey (ACS), which provides the most consistent workforce and wage estimates. The previous memo also incorporated wage data from the Maine Department of Labor as a point of comparison; however, the adopted hotel linkage fee was ultimately based on wage data from the ACS.

Housing Cost Data

The 2018 linkage fee study used rental data from the Maine State Housing Authority to establish a baseline housing cost, using a two-bedroom unit as a reference point (due to its ability to accommodate the assumed household size). However, in the time since, Maine Housing has stopped publishing rental data. As a result, this memo relies on several other readily available sources of rental data to estimate housing costs, including the Department of Housing and Urban Development's Fair Market Rent (FMR) Documentation System, the American Community Survey, and the City of Portland's Rent Board Report.

- **Fair Market Rent:** FMR represents the average cost of renting a moderately priced home, including utilities, in a specific area. It is used to set rent limits for housing assistance programs to ensure they align with current market conditions. The Portland, ME HUD Metro FMR Area includes municipalities in Cumberland County and parts of York County. Updated annually, FMR estimates are based on rental market surveys, American Community Survey data, and inflation adjustments.[1]
- **U.S. Census ACS Data:** The ACS provides median gross rent estimates by unit size, accounting for both rent and utilities when not already included. Data is based on five-year samples, which help ensure statistical reliability but smooth out short-term rent fluctuations. Estimates reflect both market-rate and subsidized rentals.[2]
- **City of Portland Rent Board Report:** These annual reports provide data on rental availability, city-wide rent prices, rental market trends, and board actions on rent increases, among other topics.[3]

Methodology

Linkage fee calculations typically estimate the number of new employees and households generated by a development, such as a hotel. Wage and rent data are then used to estimate the gap between what these workers can afford for housing and the average market rent. This memo presents that analysis for Portland, using the most recent and locally relevant data, through the following steps:

Number of New Jobs

To estimate job creation, industry data was applied to a 180-room hotel – chosen as a representative example based on an actual development. While staffing levels vary based on factors such as hotel size, service level, and operational needs, the original linkage fee study assumed a ratio of .65 employees per hotel room, based on numbers from the Urban Land Institute. Using this ratio, a 180-room hotel is expected to generate 117 jobs.

Number of New Households

The current ratio of jobs per household was then used to estimate the number of households represented by this new employment. Portland currently has 39,590 employed civilians aged 16 and over across 32,393 households[4], or an average of 1.22 jobs per household. Using this ratio, the 117 new jobs created by the example 180-room hotel would generate an estimated 96 new households.

Employment and Households by Occupation

The jobs held by hotel employees would span various occupations – management, sales, service, maintenance, etc.— with wages varying by role. To estimate how many of the households employed by a new hotel would be low-income, industry-specific employment and wage data from the American Community Survey was used. The American Community Survey groups Arts, Entertainment, Recreation, Accommodation, and Food Services together, reflecting industries tied to the service sector. While this broad category includes more than just hotel jobs, it offers the best available estimate for occupational distribution. Within this sector, approximately 56% of jobs are in service occupations, 31% in management, 7% in sales and office, 6% in transportation, and 1% in maintenance.[5]

The table below estimates the number of new employees and households created by occupation.

ESTIMATED NEW HOTEL JOBS AND HOUSEHOLDS BY OCCUPATION

	% of Service Sector Employment	# of New Hotel Employees[i]	# of New Households[ii]
Service	55.5%	65	53
Management	30.6%	36	29
Sales and Office	6.8%	8	7
Transportation	5.8%	7	6
Maintenance	1.2%	1	1
Total	100%	117	96

[i] *Calculated by multiplying the percentage of service sector employment by the total estimated 117 hotel employees.*
[ii] *Calculated by multiplying the percentage of service sector employment by the total estimated 96 households.*

Household Incomes

Household income estimates were calculated using Cumberland County's ACS median earnings data by occupation for 2023.[6] This approach reflects the broader region where hotel workers in Portland may reside. The one exception is for service workers, where the City of Portland's 2023 minimum wage of $14/hour was substituted for the ACS median wage. The household income calculations assume one person in each household works full time in the hotel industry and also assumes a second household member makes the area median earnings.[7] The table below presents these estimated household incomes by occupation.

ESTIMATED NEW HOUSEHOLDS AND HOUSEHOLD INCOME BY OCCUPATION (2023 ACS DATA)

	# of New Households	Median Wage for Hotel Employee	Median Wage for 2nd Income Earner[ii]	Total Household Income
Service[i]	53	$29,120	$10,899	$40,019
Management	29	$71,711	$10,899	$82,610
Sales and Office	7	$42,467	$10,899	$53,366
Transportation	6	$40,829	$10,899	$51,728
Maintenance	1	$50,572	$10,899	$61,471

[i] *The Service wage reflects Portland's 2023 minimum wage of $14/hour, as the Census estimate was below the legal minimum.*
[ii] *The second income earner's wage of $10,899 is based on 0.22 of the 2023 Census median earnings for all occupations in Cumberland County ($49,540), reflecting the estimated 1.22 employees per household.*

Affordability Gap

To create a range, the estimated household incomes for each occupation category were then compared to three different rent data sources to assess whether new hotel employees can afford a two-bedroom unit in Portland and to calculate the cumulative 'affordability gap.'

ESTIMATED AFFORDABILITY GAP: 2023 FAIR MARKET RENT FOR PORTLAND METRO AREA
[$1,859 for a two-bedroom unit]

	New Households	Household Income	Income Needed[i]	Affordability Gap (HH)	Total Gap
Service	53	$40,019	$79,671	$39,652	$2,101,556
Management	29	$82,610	$79,671	- $2,939	N/A
Sales and Office	7	$53,366	$79,671	$26,305	$184,135
Transportation	6	$51,728	$79,671	$27,943	$167,658
Maintenance	1	$61,471	$79,671	$18,200	$18,200
Total	96	--	--	--	$2,471,549
				Per Room	***$13,731***

[i]*Annualizing Fair Market Rent ($1,859 * 12 months = $22,308) and dividing by 0.28 yields $79,671, ensuring rent remains just below the 30% housing cost burden threshold.*

ESTIMATED AFFORDABILITY GAP: 2023 ACS MEDIAN GROSS RENT FOR PORTLAND
[$1,664 for a two-bedroom unit]

	New Households	Household Income	Income Needed[i]	Affordability Gap (HH)	Total Gap
Service	53	$40,019	$71,314	$31,295	$1,658,635
Management	29	$82,610	$71,314	- $11,296	N/A
Sales and Office	7	$53,366	$71,314	$17,948	$125,636
Transportation	6	$51,728	$71,314	$19,586	$117,516
Maintenance	1	$61,471	$71,314	$9,843	$9,843
Total	96	--	--	--	$1,911,630
				Per Room	***$10,620***

[i]*Annualizing ACS median rent ($1,664 * 12 months = $19,968) and dividing by 0.28 yields $71,314, ensuring rent remains just below the 30% housing cost burden threshold.*

ESTIMATED AFFORDABILITY GAP: 2023 CITY OF PORTLAND RENT BOARD
[$1,595 for a two-bedroom unit]

	New Households	Household Income	Income Needed[i]	Affordability Gap (HH)	Total Gap
Service	53	$40,019	$68,357	$28,338	$1,501,914
Management	29	$82,610	$68,357	- $14,253	N/A
Sales and Office	7	$53,366	$68,357	$14,991	$104,937
Transportation	6	$51,728	$68,357	$16,629	$99,774
Maintenance	1	$61,471	$68,357	$6,886	$6,886
Total	96	--	--	--	$1,713,511
				Per Room	***$9,520***

[i]*Annualizing ACS median rent ($1,595 * 12 months = $19,140) and dividing by 0.28 yields $68,357, ensuring rent remains just below the 30% housing cost burden threshold.*

Final Calculation

As shown on the previous page, dividing the total affordability gap by the 180 new hotel rooms results in an **estimated per-room affordability gap ranging from $9,520 to $10,620 to $13,731** depending on the rent data source used (City of Portland Rent Board, American Community Survey, or HUD Fair Market Rent). This estimate reflects the full annual affordability gap associated with the jobs generated by a single hotel room based on the methodology from the original 2018 study.

[1] Department of Housing and Urban Development FY 2023 Fair Market Rent Documentation System for the Portland, ME HUD Metro FMR Area

[2] U.S. Census American Community Survey 2019-2023 5-year estimate (Table B25031)

[3] 2023 Portland Rent Board Annual Report (pg. 12)

[4] U.S. Census American Community Survey 2019-2023 5-year estimate (Table DP03)

[5] U.S. Census American Community Survey 2019-2023 5-year estimate (Table S2405)

[6] U.S. Census American Community Survey 2019-2023 5-year estimate (Table B24011)

[7] U.S. Census American Community Survey 2019-2023 5-year estimate (Table S2001)

17 HOUSING

17.1 HOUSING PRESERVATION AND REPLACEMENT

17.1.1 Purpose

The purpose of the housing preservation and replacement ordinance is:

A. To promote and facilitate an adequate supply of housing, particularly affordable housing for all economic groups.

B. To limit the net loss of housing units in the city.

C. To preserve housing in zones where housing is permitted in the city for all residents in order to promote the health, safety, and welfare of its citizens.

17.1.2 Applicability

A. Except as otherwise provided in this section, the housing preservation and replacement ordinance shall apply to the loss of three or more dwelling units in a five-year period, provided that such dwelling units were a legally registered residential use as of July 1, 2002. For the purposes of this section, dwelling units shall be as defined in Article 3, but also include rooming units that people rent in or sleep in within lodging houses, dormitories, shelters, and sheltered care group homes.

B. Except as otherwise provided in this section, the housing preservation and replacement ordinance shall also apply to proposals that result in the loss of fewer than three dwelling units which were legally registered residential use as of July 1, 2002 for the purposes of creating surface parking.

C. For the purposes of this section, loss of dwelling units shall mean the elimination or conversion to nonresidential use of a dwelling unit and dwelling units that remain vacant for three years or more or are lost due to demolition unless the vacancy or demolition results from accidents outside of the owner's control, fire, natural disasters, or acts of war.

D. Determination of number of the dwelling units within a structure or structures and the number of units lost will be based on the records of the Building Authority indicating the legal, registered use of the property since July 1, 2002 through the time of application. The actual use of the property for purposes of applicability of this section may be rebutted by the owner by proof of documentary evidence including but not limited to photographs, letters, and sworn affidavits. The Planning Authority may conduct its own investigation of the actual use and shall determine the applicability of this section based on the totality of the evidence.

17.1.3 Exemptions

This section does not apply to:

A. Consolidation, elimination, or reconfiguration of one or more dwelling units within an existing structure, as long as all the resulting units remain as dwelling units after such consolidation, elimination, or reconfiguration, except as provided by (D) below. Conversion of a dwelling unit to a hotel or motel room shall not qualify for the exemption provided by this paragraph.

B. Legally nonconforming dwelling units existing in zones which no longer permit residential uses.

C. Property which has been ordered demolished by the City, pursuant to 17 M.R.S. § 2851, et seq., as amended, except where it is determined by

the Building Authority that the deterioration was caused by neglect or lack of maintenance.

D. Paragraph (A) above notwithstanding, the conversion to a nonresidential use of any dwelling units located on the ground floor of a building within a mixed-use zone.

17.1.4 Planning Authority approval required

Notwithstanding any other provision of this section, a proposal to demolish or to convert three or more dwelling units to a nonresidential use in a zone where such use is otherwise permitted must first obtain approval from the Planning Authority. In addition to any other requirements of the Land Use Code, the applicant must submit a statement certifying the number of dwelling units to be demolished or converted to nonresidential use, as well as a description of the characteristics of each of those units.

17.1.5 Tenant notification requirements

Prior to elimination as a result of demolition or conversion to nonresidential use, the owner shall:

A. Provide the Planning Authority a list containing the name of each tenant currently residing in the dwelling units to be demolished or converted to nonresidential use, as well as verification of compliance with tenant notice requirements of this subsection.

B. Deliver to each tenant who occupies such a dwelling unit a written notice to vacate the unit. The notice shall either be sent by certified mail, return receipt requested, or served in-hand. The notice will grant the tenant not less than 90 days from the date of receipt of the notice to vacate the unit.

C. File proof of service of the notice with the Planning Authority.

17.1.6 Housing replacement requirements

A. The Planning Authority shall require, as a condition of approval, that an owner shall replace any dwelling units that are demolished or converted to nonresidential use.

B. This requirement may be satisfied in any one of the following ways, which may be used in combination:

1. *Construction of units.* The construction of housing units within a new structure or a new addition either on site or off-site.

2. *Residential conversion.* The conversion of a nonresidential building to residential use.

17.1.7 Replacement unit requirement

In addition to the foregoing, all replacement units built pursuant to Subsection 17.1.6.B above shall:

A. Be located within the same United States census block group as the parcel from which the dwelling units are being removed or within 1,500 feet of the dwelling units being removed.

B. Not previously have been on the market as of the date of application.

C. Be situated within a development which has not been a candidate for site plan approval as of the date of the application.

D. Be comparable in size to the units replaced. For the purpose of this section, "comparable in size" means that the aggregate size of the replacement units will be no less than 80% of the size of the aggregate of the original units to be replaced and a similar bedroom mix.

17.1.8 Contribution to the Housing Trust Fund

A. The applicant may meet the requirements of this housing replacement ordinance by depositing $50,000 for each dwelling unit into the City's Housing Trust Fund.

B. Beginning on January 1, 2004 and annually thereafter, the amount of the contribution shall be adjusted by multiplying this amount originally deposited for each unit by a fraction, the denominator of which shall be the "Consumer Price Index for Urban Wage Earners and Clerical Workers ("CPI-W")," U.S. City Average, "All Items Index," as published by the United States Bureau of Labor Statistics ("the index") for January 1, 2003 year, and the numerator of which shall be the index for the same month in each subsequent year. In the event that the index is not then in existence, the parties shall use such equivalent price index as is published by any successor governmental agency then in existence, or, if none, then by such nongovernmental agency as may then be publishing an equivalent price index, in lieu of and adjusted to the index. If the index shall cease to use 1982-84 equals 100 as the basis of calculation, or if a substantial change is made in the terms or number of items contained in the index, the base index shall be adjusted to conform to such change, using such computation thereof, if available, as shall be employed by the United States Department of Labor in computing same. Notwithstanding anything herein to the contrary, contributions made after January 1, 2004 shall not be less than the amount originally required to be deposited for each rooming or dwelling unit.

17.1.9 Performance guarantee

Owners or affiliates must post a performance guarantee in the form of a letter of credit, or other security acceptable to the City attorney, in the amount equivalent to the amount the applicant would have been required to contribute to the City's Housing Trust Fund if the applicant had chosen that option pursuant to Subsection 17.1.8. Such a performance guarantee shall be valid for no more than three years, after which the full amount due shall be provided to the City's Housing Trust Fund if replacement units satisfying the conditions of this housing replacement ordinance do not have certificates of occupancy.

17.1.10 Partial waiver of replacement requirements

A. Any owner who has applied for site plan review for elimination or conversion to nonresidential use of dwelling units may apply to the Zoning Board of Appeals for a partial waiver from the housing replacement requirements of this section. Such waiver may be a downward adjustment of up to 50% of the owner's housing replacement obligation if the owner establishes to the board's satisfaction that:

1. The proposed development is consistent with the Comprehensive Plan.
2. The proposed development provides significant value and benefit to the immediate and surrounding neighborhood, including, but not limited to, community enhancement, social benefits or job creation.
3. The applicant demonstrates with objective evidence that the imposition of the requirements of this section would impose such an economic burden upon the project relative to its scope that it renders the project impossible to develop.
4. The requested relief does not constitute a grant of a special privilege inconsistent with the limitations upon similar properties.

B. The Zoning Board of Appeals must make positive findings on each of the four criteria above in order for any such adjustment to be valid. An applicant aggrieved of a decision of the Zoning Board of Appeals may appeal a decision under this subsection pursuant to the provisions of Article 2.

17.1.11 Effect of other City ordinances

A. Nothing in this section shall permit the demolition or conversion to nonresidential use of dwelling units in residential property protected by Article 16, except as permitted by that ordinance.

B. A conditional zone may not be used to circumvent the application of this section. The terms of this section shall apply to any conditional zone which involves dwelling units affected by this section. Notwithstanding the foregoing, nothing herein shall be deemed to prevent the City and the applicant from agreeing to terms which exceed those imposed by this section by means of a conditional zone.

17.1.12 Appeals

Any applicant aggrieved by a decision of the Planning Authority under this section may appeal to the Zoning Board of Appeals within 30 days of that decision.

17.2 AFFORDABLE HOUSING

17.2.1 Purpose

It is in the public interest to promote an adequate supply of housing that is affordable to a range of households at different income levels. Therefore, the purpose of this section is to offer incentives to developers to include units of affordable housing within development projects and to require the inclusion of affordable housing units in development projects in certain contexts. In so doing, this section will assist the city in meeting its comprehensive goals for affordable housing, in preventing the overcrowding and deterioration of the limited supply of affordable housing, and promote the health, safety, and welfare of its citizens.

17.2.2 Affordable housing incentives

A. Eligible projects. Under this subsection, eligible projects shall include any development project:

1. That is permissible under the provisions of this Land Use Code in the zone in which it is proposed.

2. That creates new dwelling units, among which is at least one low-income or workforce housing unit for rent or sale, through new construction, substantial alteration of existing structures, adaptive reuse or conversion of a nonresidential use to residential use, or any combination of these elements. Affordable housing units for sale or rent may not differ in exterior design from other units within an eligible project.

B. Reduction of fees. Notwithstanding any other provision of this Land Use Code or Chapter 6 to the contrary, development fees, including site plan review and inspection fees, subdivision review and inspection fees, impact fees, administrative fees, and construction and permit fees as described in Chapter 6 of the City of Portland Code of Ordinances, shall be reduced by the City for an eligible project in the manner described in Table 17-A. Development

TABLE 17-A: AFFORDABLE HOUSING FEE REDUCTIONS

% of New Units That are Low-Income or Workforce	Development Fee Discount	Cost of Work (Building Permit) Fees
10% up to but not including 15%	10% reduction	$9.90 per $1,000
15% up to but not including 20%	15% reduction	$9.35 per $1,000
20% up to but not including 25%	20% reduction	$8.80 per $1,000
25% or more	25% reduction	$8.25 per $1,000

TABLE 17-B: BONUSES FOR ELIGIBLE PROJECTS

% Low-income or Workforce Units	Density Permitted[1]
10-19%	1.1 x base
20-29%	1.25 x base
30-49%	1.3 x base
50-74%	2.5 x base
>75%	2.5 x base

[1] "Base" is the number of units allowed under the zoning without this bonus but with any other bonuses applied.

fees do not include any fees charged for review conducted by any party other than the City.

C. **Expedited review.** The Planning Authority shall perform its review of an eligible project in as expedited a manner as is practical, without impairing the scope or thoroughness of the review. The Planning Authority may adopt administrative procedures to prioritize review of eligible projects and facilitate this expedited review. The Planning Board shall make its best efforts to give priority in scheduling workshops and public hearings related to any plans or applications required for an eligible project that are within the Planning Board's jurisdiction, without impairing the scope or thoroughness of its review. At the conclusion of these public meetings, the Planning Board shall promptly issue a decision on all such plans and applications before it for consideration.

D. **Density and height bonuses.** Notwithstanding any other provision of this Land Use Code to the contrary, in order to encourage low-income and workforce units in areas prioritized for growth, eligible projects as defined under Subsection 17.2.2 may avail themselves of the following options:

1. *Density bonuses.* The maximum number of units that would otherwise be allowed under this Land Use Code shall be increased for an eligible project in the manner described in Table 17-B, applicable where residential is allowed as a permitted or conditional use in mainland zones.
2. *Height bonuses.* In mixed-use zones, the TOD zones, and the RN-6, for eligible projects over ten units in size in which over 75% of units are low-income or workforce units, maximum heights as permitted under Article 7 shall be increased by 10 feet.
3. *Unit size.* In order to be eligible for this subsection, the low-income and workforce housing units must meet Subsections 17.2.3(C)(2), (3), and (4).
4. *Term of affordability.* Affordable units under this subsection shall be deed-restricted to remain affordable for 30 years or the longest term permitted under federal, state, and local laws, whichever is longer. Such deed restrictions shall be recorded in the Cumberland County Registry of Deeds.

17.2.3 Ensuring workforce housing

A. Purpose. Based on the City's Comprehensive Plan and the City's 2015 housing study, it is in the public interest to promote an adequate supply of housing that is affordable to a range of households at different income levels. The purpose of this subsection is to ensure that housing developments over a certain size provide a portion of workforce housing units and, by doing so, promote the health, safety, and welfare of Portland citizens.

B. Applicability. This subsection shall apply to site plan applications that create ten or more new dwelling units for rent or for sale through new construction, substantial alteration of existing structures, adaptive reuse or conversion of a nonresidential use to residential use, or any combination of these elements. This subsection shall not apply to projects that otherwise meet or exceed the standards of 17.2.3(C).

C. Standards. Development projects subject to this subsection shall meet to the following requirements:

1. At least 25% of the units in the project shall meet the definition of workforce housing unit for sale or for rent as defined in Article 3. The project shall have the option of paying a partial fee-in-lieu as per (5) below or providing an additional unit on-site for any fractional value.
2. Projects shall not be segmented to avoid compliance with these provisions.
3. Workforce units must be integrated with the rest of the development, must use a common entrance in the case of mixed market rate and workforce buildings, must provide no indication from the exterior or from areas inside the respective buildings that these units are workforce housing units, and must demonstrate general parity in unit design, finishes, and amenities between market and workforce units in the development. Applications shall include a narrative that addresses parity of workforce and market rate units, a description of workforce and market rate unit attributes and amenities, phasing if applicable, and integration into the respective building and site design.
4. Workforce units need not be the same size as other units in the development but the cumulative number of bedrooms in such units shall be no less than 25% of the total number of bedrooms in the development.
5. As an alternative to providing workforce housing units, projects may pay a fee-in-lieu of some or all of the units. In-lieu fees shall be paid into the Housing Trust Fund. The fee for affordable units not provided shall be $150,000 per unit, adjusted annually in the same way as the fee under Subsection 17.1.8.
6. Workforce housing units for sale, if converted to workforce housing units for

TABLE 17-C: MINIMUM TERM OF AFFORDABILITY FOR REQUIRED WORKFORCE UNITS

% of Workforce Units Provided	Minimum Term of Affordability
25%	30 years
50%	20 years
100%	10 years

rent, shall become subject to the income limits and other requirements of such units.

7. The term of affordability for the required 25% workforce units provided shall be defined as shown in Table 17-C.
8. Projects shall be subject to an affordable housing agreement with the City of Portland, unless a project is otherwise subject to such an agreement requiring an equal or greater percentage of affordable units at an equal or lower income target level than required by this section.

D. **Density and height bonuses.** Projects that are subject to this subsection shall be eligible for density and height bonuses under Subsection 17.2.2(D).

E. **Implementation guidance.** The Housing & Economic Development Department shall provide guidance on income verification methods, affordable housing agreements, and subsequent monitoring requirements.

F. **Reporting to City Council.** In conjunction with the annual report on the Housing Trust Fund, the Planning Authority shall annually report on developments subject to this subsection, the number of units produced, the amount of fee-in-lieu collected, and the overall effectiveness of this subsection in achieving its stated purpose.

17.2.4 Inclusionary zoning for hotel projects

A. **Purpose.** This subsection is based on City analysis, most specifically the analysis documented in the Greater Portland Council of Government study *Proposed Hotel Linkage Fee: Supportable Range* dated August 29, 2018, that finds that new hospitality developments create a need for new affordable housing. This need is the result of the fact that hospitality developments necessarily create a number of jobs that do not pay employees at a rate sufficient to allow those employees to afford market-rate housing in the City of Portland.

B. **Hotel projects.** For the purposes of this subsection, hotel projects shall include any hotel as defined in Article 3 consisting of 10 or more guest rooms for rent to transient guests or to extended stay guests of up to six months. Any expansion of an existing hotel by 10 or more rooms within any five-year period will also be considered a hotel project.

C. **Low-income housing minimum.** All hotel projects shall provide one unit of low-income housing for rent in the City of Portland for every 28 rooms in the hotel project, which shall meet the standards outlined in Subsections 17.2.3(C)(2), (3), and (4) and in the implementing regulations governing low-income units. Such units shall contain two bedrooms and be a minimum of 900 SF in floor area. This amount shall be rounded up to the nearest increment of 28 rooms. These units shall be deed restricted for the longest period permitted by law, shall not be used for short-term rentals of less than 30 days, and must be provided with distinct entrances from the street to delineate them from the hotel itself.

D. **Fee-in-lieu alternative.** As an alternative to providing low-income housing units under Subsection 17.2.4(C) above, a hotel project may pay a fee-in-lieu of $3,806 per hotel guest room. This amount shall be paid into the City's Housing Trust Fund and used for the purposes set forth in the ordinance and regulations applicable to that trust.

E. **Annual adjustments.** The amounts in Subsection 17.2.4(D) above shall be adjusted annually in the same way as the fee under Section 17.1.8.

F. **Implementation guidance.** The Housing & Economic Development Department shall provide guidance on income verification methods, affordable housing agreements, and subsequent monitoring requirements.

17.3 JILL C. DUSON HOUSING TRUST FUND

17.3.1 Purpose

The purpose of enacting this section is:

A. To establish a City of Portland Housing Trust Fund for the promotion, retention, and creation of an adequate supply of housing, particularly affordable housing, for all economic groups and to limit the net loss of housing units in the city.

B. To serve as a vehicle for addressing very low, low, and moderate income housing needs through a combination of funds as set out in this article.

17.3.2 Establishment of the Jill C. Duson Housing Trust Fund

The City Council shall establish a special revenue account under the name "City of Portland Jill C. Duson Housing Trust Fund" (Housing Trust Fund). Deposits into the fund shall include:

A. Contributions from the City's housing replacement ordinance under Subsection 17.1.8.

B. In-lieu fees under Subsections 17.2.3 and 17.2.5.

C. Funds appropriated to be deposited into the fund by vote of the City Council.

D. Voluntary contributions of money or other liquid assets to the fund.

E. Any federal, state, or private grant or loan funds provided to the fund.

F. Interest from fund deposits and investments.

G. Repayments of loans made from the fund.

17.3.3 Management of the trust fund

The City Manager, or their designee, shall serve as the manager of the Housing Trust Fund. The responsibilities of the manager, subject to the orders of the City Council, shall include:

A. Maintaining the financial and other records of the Housing Trust Fund.

B. Disbursing and collecting Housing Trust Fund monies in accordance with the Housing Trust Fund annual plan.

C. Monitoring the use of monies distributed to successful applicants for Housing Trust Fund support to assure on-going compliance with the purposes of the fund and the conditions under which these monies were granted or loaned.

17.3.4 Housing Trust Fund annual plan

A. Each fiscal year, the City Council shall adopt a Housing Trust Fund annual plan. The City Manager shall submit to the City Council a recommended Housing Trust Fund annual plan, utilizing the revenues of the Housing Trust Fund as well as any other funds the manager may propose as appropriate. The housing committee of the City Council or such other committee as the council shall designate shall conduct public hearings on the recommended plan and refer the matter to the council for action.

B. The Housing Trust Fund annual plan shall include:

1. A description of all programs to be funded in part or in full by the Housing Trust Fund.
2. A description of how funds from the Housing Trust Fund will be distributed among very low-income, low-income and moderate-income households.
3. The amount of funds budgeted for programs funded in part or in full from the Housing Trust Fund.

C. Priority for the expenditure of funds collected pursuant to Section 17.1 shall be given to the creation of new housing stock, through either new construction or conversion of nonresidential buildings to residential use.

17.3.5 Distribution and use of the Housing Trust Fund's assets

A. All distribution of principal, interest, or other assets of the Housing Trust Fund shall be made in furtherance of the public purposes set out in Section 17.1.

B. During each year, the Housing Trust Fund shall disburse as grants or loans so much of the Housing Trust Fund's assets as the City Council in its discretion has approved in the Housing Trust Fund annual plan.

C. Funds shall not be used for City administrative expenses.

D. Funds shall not be used for property operating expenses or supporting services.

E. No grants or loans shall be awarded by the Housing Trust Fund to corporations, partnerships, or individuals who are delinquent at the time of application in the payment of property taxes or other fees to the City of Portland, who have been convicted of arson, who have been convicted of discrimination in the sale or lease of housing under the fair housing laws of the State of Maine, or who have pending violations of current City electrical, plumbing, building, or housing codes or zoning ordinances.

17.3.6 Term of affordability

A. Whenever funds from the Housing Trust Fund are used for the acquisition, construction, or substantial rehabilitation of an affordable rental or cooperative unit, the City of Portland shall impose enforceable requirements on the owner of the housing unit that the unit remain affordable for the remaining life of the housing unit, assuming good faith efforts by the owner to maintain the housing unit and rehabilitate it as necessary. The remaining life of the housing unit shall be presumed to be a minimum of 30 years.

B. Whenever funds from the Housing Trust Fund are used for the acquisition, construction, or substantial rehabilitation of ownership housing, the City of Portland shall impose enforceable resale restrictions on the owner to keep the housing unit affordable for the longest feasible time, while maintaining and equitable balance between the interests of the owner and the interests of the City of Portland.

C. The affordability restriction requirements described in this subsection shall run with the land and the City of Portland shall develop appropriate procedures and documentation to enforce these requirements and shall record such documentation in the Cumberland County Registry of Deeds.

17.4 CONDOMINIUM CONVERSION

17.4.1 Purpose

The purpose of this section is to regulate the conversion of rental housing to condominiums, to minimize the potential adverse impacts of such conversion on tenants, to ensure that such converted housing is safe and decent, and to maintain a reasonable balance of housing alternatives within the city for persons of all incomes.

17.4.2 Applicability

This section shall apply to the conversion of any rental unit to a condominium unit. For the purposes of this section, developer shall mean any person or other legal entity, but not including an established lending institution unless it is an active participant in a common promotional scheme, who, whether acting as principal or agent, records a declaration of condominium that includes real estate, any portion of which was previously a rental unit.

17.4.3 Protection of tenants

A. Notice of intent to convert. A developer shall give to each tenant, meaning any occupant in lawful possession of a rental unit, whether by lease, sublease, or otherwise, written notice of intent to convert at least one 120 days before the tenant is required by the developer to vacate. If a tenant has been in possession of any unit within the same building for more than four consecutive years, the notice period shall be increased by 30 additional days for each additional year, or fraction thereof, to a maximum of 240 additional days. The notice shall set forth specifically the rights of tenants under (A), (B), and (C) of this subsection and Subsection 17.4.4, and shall contain the following statement:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Department of Permitting & Inspections, City of Portland, 389 Congress Street, Portland, Maine 04101.

B. If the notice specifies a date by which the tenant is required to vacate, the notice may also serve as a notice of termination under the applicable law of forcible entry and detainer, if it meets the requirements thereof. The notice shall be hand delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be effective when actually received. No tenant may be required by a developer to vacate without having been given notice as required herein, except for the reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of a tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease. If, within 120 days after a tenant is required by a developer to vacate, the developer records a declaration of condominium without having given notice as required herein, the developer

shall be presumed to have converted in violation of this article.

C. **Option to purchase.** For a 60-day period following the giving of notice as required in Subsection 17.4.3(A), the developer shall grant to the tenant an exclusive and irrevocable option to purchase the unit of which the tenant is then possessed, which option may not be assigned. If the tenant does not purchase or contract to purchase the unit during the 60-day period, the developer may not convey or offer to convey the unit to any other person during the following 180 days at a price or on terms more favorable than the price or terms previously offered to the tenant, unless the more favorable price or terms are first offered exclusively and irrevocably to the tenant for an additional 60-day period. This subsection shall not apply to any rental unit that, when converted, will be restricted exclusively to nonresidential use. If, within two years after a developer records a declaration of condominium, the use of any such unit is changed such that but for the preceding sentence, this subsection would have applied, the developer shall be presumed to have converted in violation of this article.

17.4.4 Relocation payments

If the tenant does not purchase the unit, the developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two months, provided that this requirement shall not apply to any tenant whose gross income exceeds 80% of the median income of the Portland SMSA, adjusted for family size, as determined by the U.S. Department of Housing and Urban Development at the time notice is given as required in Subsection 17.4.3. Additionally, the developer shall, upon demand, provide assistance to the tenant in the form of referrals to other reasonable accommodations and in determining the tenant's eligibility for relocation payments as provided herein.

17.4.5 Conversion permit

Before conveying or offering to convey a converted unit, the developer shall obtain a conversion permit from the Building Authority. The permit shall issue only upon receipt of a completed application therefore in a form to be devised for that purpose, payment of a fee of $25,000 per converted unit, to be adjusted annually in the same way as the fee under Chapter 14, Section 17.1.8 of this code, at least $1,000 of which shall be appropriated to the Housing Safety Office for the administration and enforcement of the Rent Stabilization Ordinance, Chapter 6, Articles XII and XIII of this code, and the remainder of which shall be paid into the Jill C. Duson Housing Trust Fund, and a finding, upon inspection, that each unit, together with any common areas and facilities appurtenant thereto, is in full compliance with all applicable provisions of Chapter 6, Articles II, III, and V and Chapter 10, Article II of the City of Portland Code of Ordinances, and the Life Safety Code as adopted by the state. The developer shall post a copy of the permit in a conspicuous place in each unit and shall make copies available to prospective purchasers upon request.

17.4.6 Variation by agreement

No provision of or right conferred by this Section 17.4 may be waived by a tenant, by agreement or

otherwise, and any such waiver shall be void. Any attempt to require, encourage, or induce a tenant to waive any provision hereof, or right conferred hereby, shall be a violation of this article. Nothing herein shall be construed to void any term of a lease which offers greater rights than those conferred hereby.

17.5 RELOCATION OF DISPLACED TENANTS

17.5.1 Purpose

The purpose of this section is to encourage the retention of a diverse housing supply throughout the downtown and in areas readily accessible to the downtown, to ensure that persons displaced as the result of redevelopment of residential units to nonresidential uses within the B-3 Downtown Business zone are treated fairly and consistently, and to ensure that persons so displaced will be relocated at the reasonable expense of the developer to comparable housing at a location providing comparable access to services and amenities.

17.5.2 Notice and eligibility for relocation assistance

When a proposed development will result in the displacement of residents of an existing structure, the developer of the property shall give all tenants written notice as set forth below and shall provide relocation assistance as set forth below for any tenant whose gross income is 80% or less of the median income of the Portland SMSA, adjusted for family size, as determined by the U.S. Department of Housing and Urban Development at the time the developer gives the tenant written notice of intent to cause removal of the residential unit. Such written notice shall be given to the tenant at least 120 days before the tenant shall be required to vacate the premises and shall contain the following statement:

> *The developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101.*

17.5.3 Relocation assistance for all tenants

The developer shall provide, upon demand, assistance to all tenants who will be displaced by the development in the form of referrals to other reasonable accommodations and in determining the tenants' eligibility for relocation payments as provided herein. The developer shall make relocation payments to eligible tenants in accordance with the schedule adopted by the City Council in Subsection 17.5.4.

17.5.4 Schedule of relocation payments for eligible tenants

The developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two months.

Order 134-18/19
Passage: 9-0 on 1/23/2019 Effective 2/22/2019

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

AMENDMENT TO PORTLAND CITY CODE CHAPTER 14
RE: HOTEL PROJECT INCLUSIONARY ZONING

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:

That Chapter 14, Sections 14-484, 14-485 and 14-488.1 is hereby amended to read as follows:

Sec.14-484. Purpose.

It is in the public interest to promote an adequate supply of affordable housing for the city's residents. The purpose of this division therefore is to offer incentives to developers to include units of affordable housing within development projects, thereby mitigating the impact of market rate housing construction, or the demonstrated increase in affordable housing needs resulting from the creation of new lower-income jobs, on the limited supply of available land for suitable housing and helping to meet the housing needs of all economic groups within the city. The city believes that this division will assist in meeting the city's comprehensive goals for affordable housing, in the prevention of overcrowding and deterioration of the limited supply of affordable housing, and by doing so promote the health, safety and welfare of its citizens.

...

Sec. 14-485. Definitions.

...

Eligible project means a development project:

...

(d) Projects shall not be considered "eligible projects" solely because they are subject to Section 14-487 ("Ensuring Workforce Housing").

Hotel Project is any hotel, inn or motel, as defined in Section 14-47 of Chapter 14 of the Portland City Code, consisting of 10 or more guest rooms for rent. Any such development that exists prior to the effective date of this Section but expands by 10 or more rooms within any 5 year period will also be considered a hotel project.

...

14-488.1 Inclusionary Zoning for Hotel Projects

(a) **Purpose:** This section is based on City analysis, most specifically the analysis documented in the Greater Portland Council of Government study "Proposed Hotel Linkage Fee: Supportable Range" dated August 29, 2018, that finds that new hospitality developments create a need for new affordable housing. This need is the result of the fact that hospitality developments necessarily create a number of jobs that do not pay employees at a rate sufficient to allow those employees to afford market-rate housing in the City of Portland.

(b) **Hotel Projects Conditional Uses:** Notwithstanding anything to the contrary in Chapter 14, all hotel projects are conditional uses subject to Planning Board review on the condition that they comply with the requirements of this Section 14-489.

(c) **Low Income Housing Minimum.** All hotel projects shall provide one unit of Low Income Housing for rent in the City of Portland for every 28 rooms in the hotel project which shall meet the standards outlined in Section 14-487 and in the implementing regulations governing Low Income Units. This amount shall be rounded up to the nearest increment of 28 rooms. These units shall be deed restricted for the longest period permitted by law; shall not be used for Short Term Rentals of less than 30 days; and must be provided with distinct entrances from the street to delineate them from the hotel itself.

(d) **Fee-in-Lieu Alternative:** As an alternative to providing Low Income Housing units under subsection (c) above, a Hotel Project may pay a fee-in-lieu of $3,806 per hotel guest room. This amount shall be paid into the City's Housing Trust

and used for the purposes set forth in the ordinance and regulations applicable to that trust.

(e) **Annual Adjustments:** The amounts in (d) above shall be adjusted annually in the same way as the fee under Division 29 for Housing Replacement.

(f) **Regulations:** The Planning Board may promulgate implementing regulations based on this ordinance.

(g) **Applicability:** Notwithstanding the provisions of 1 M.R.S. § 302, Sec. 14-489 shall apply retroactively and include any and all actions and proceedings pending on September 26, 2018 or thereafter.

City of Portland | Planning & Urban Development Department
Kevin D. Kraft, AICP *Director*

Staff Memo To:
Housing & Economic Development Committee
Councilor Pious Ali, Chair

MEETING DATE
April 15, 2025

AGENDA ITEM
Agenda Item 2 – Hotel Inclusionary Zoning Ordinance

PURPOSE
An initial discussion on the history, background, and development trends related to the City's hotel inclusionary zoning ordinance, with the committee providing direction on next steps.

COMMITTEE WORK PLAN/CITY COUNCIL GOAL ALIGNMENT
On December 16, 2024, the City Council established its 2025 Common Goals, outlining policy priorities and guiding the development of Council committee work plans. The Housing & Economic Development Committee (HEDC) identified the review and potential revision of the hotel inclusionary zoning ordinance (Chapter 14, Section 17.2.4) as a policy matter aligned with Council Common Goal #2: "*The Council will work to implement solutions to the housing crisis, including building more working class housing, improved support for the unhoused community such as an overdose prevention center as well as continued support for warming shelters. Additionally conduct independent assessment of Efficiencies, Outcomes, and Expenditures.*"

At its January 21, 2025 meeting, the HEDC established its 2025 work plan, which includes reviewing and considering potential revisions to the City's existing hotel inclusionary zoning ordinance.

BACKGROUND/ANALYSIS
On November 4, 2024, the City Council passed Order 77-24/25 (6-2, Mayor Dion & Councilor Rodriguez - No, Councilor Fournier Absent) (Attachment A) establishing a 180-day moratorium on new hotel projects in the City of Portland. The moratorium went into effect on December 4, 2024 and is set to expire on June 2, 2025.

Portland's Hotel Inventory & Development Trends
According to lodging license data from the Maine Department of Health and Human Services, there are currently 41 licensed lodging places in the City of Portland, with approximately 3,500 total rooms. 68% of these hotels have been developed since 2000, and 18 (44%) have been developed since 2010.

History of Hotel IZ policy
In 2019, the City proposed and established a hotel inclusionary zoning (IZ) ordinance. The requirement applies to hotel projects with 10 or more rooms and any hotel expansions of 10 or more rooms within any five-year period. To meet the requirement, hotel projects can provide one unit of low-income housing for rent within the city for every 28 hotel rooms. Portland considers a low-income housing unit to mean one that is rented to households earning 80% AMI or less. The other alternative is for a hotel project to pay a linkage fee (fee-in-lieu) with a 2019 basis of $3,806 per room, which is deposited into the City's Housing Trust Fund at the time the Certificate of Occupancy is issued. The linkage fee is adjusted annually; the 2025 hotel inclusionary fee-in-lieu is $4,831 per guest room.

The impetus for the creation of a hotel inclusionary zoning ordinance was a steady rise in hotel/inn/motel development between 2012 and 2018. Local and national data indicated that job creation in the hospitality industry would involve a considerable amount of workforce households at average wage rates below what was required to afford housing in Portland at the time. As a result of the specifics of the industry's profile and anticipating an increase in hotel/inn/motel development in the coming years, the hotel inclusionary zoning ordinance was adopted on January 23, 2019, Order 134-18/19 (Attachment B) and became effective on February 22, 2019.

Hotel development post IZ policy
Since adoption of the ordinance in 2019, 14 projects have been approved. Of the 14 projects three hotel projects approved in that timeframe were not subject to hotel inclusionary zoning requirements (Table 1). One project was too small (<10 rooms) to trigger the requirement and the other two were products of approved master development plans (Thompsons Point and Portland Foreside), which gave them pending proceeding status under the pre-inclusionary zoning code.

Table 1: Approved Hotel Projects Exempt From Hotel IZ Regulations

Address	Common Name	Approval Year	Total Rooms	Status
148 Coveside Drive	Diamond Cove	2024	8	Approved
Thompson's Point	Forefront Hotel	2023	148	Under Construction
58 Fore Street	Portland Foreside	2023	128	Approved
Total	**3**		**284**	

Of the 11 remaining projects (Table 2), four have been constructed and completed, resulting in a combined total of 223 rooms. Each of these projects elected to contribute to the Housing Trust Fund, generating a total of $834,373 in contributions. Two additional projects are currently under construction: The Docent's Collection at 178–184 Middle Street, which will contain 19 rooms and contribute $86,602 into the Housing Trust Fund and 215 Commercial Street, which will contain 15 rooms and contribute $70,380 into the housing trust fund. Both are smaller-scale renovations of

former office spaces in the Old Port. The remaining five projects have received approval but have not yet begun construction. If built, the five remaining projects would add an additional 623 new rooms. If all 11 projects are constructed as approved, they would collectively generate approximately $3.8 million in contributions to the Housing Trust Fund and 880 hotel rooms.

Table 2: Approved Hotel Projects Subject To Hotel IZ Regulations

Address	Common Name	Approval Year	Total Rooms	Fee-in-lieu	Status
*121 Middle Street	Docent's Collection	2019	26	$72,314	Construction Complete
1 Center Street	Canopy by Hilton	2019	135	$513,810	Construction Complete
754 Congress Street	The Longfellow Hotel	2020	48	$182,688	Construction Complete
54 York Street	The Weldon Hotel	2024	14	$65,562	Construction Complete
178-184 Middle Street	Docent's Collection	2023	19	$86,602	Under Construction
215 Commercial Street	-	2024	15	$70,380	Under Construction
477 Congress Street	Time & Temperature	2023	181	$849,252	Approved
1060 Westbrook Street	Hyatt Jetport	2024	119	$558,348	Approved
465 Congress Street	Monument Hotel	2024	92	$431,664	Approved
385 Congress Street	Fathom	2023	179	$815,882	Approved
245 Commercial Street	Portland Harbor Hotel Expansion	2024	52	$243,984	Approved
TOTAL	**11**		**880**	**$3,890,486**	

121 Middle Street – Awaiting fee-in-lieu payment for 7 additional rooms, which are included in the total room count.

In terms of location, of the 14 projects approved since the implementation of the Hotel IZ policy, approximately 57%, a total of eight projects (699 rooms) are located in the City's B-3 Downtown Business zone. This zone spans from roughly Franklin Street to State Street and includes the Old Port, Arts District, and abuts the waterfront areas recognized as the region's core for arts, culture, commerce, and civic life, where hotel development is both anticipated and encouraged. For comparison, between 2019 and 2024, the City also approved 1,695 residential dwelling units within the B-3 zone, reflecting strong and balanced growth in both hotel and residential

development. This trend aligns with the goals outlined in *Portland's Plan 2030*, which reinforces downtown as the region's primary hub of activity for the region.

The remaining hotel projects are also located in areas where hotel development is generally expected. Two projects are in the B-5 zone—one at Thompson's Point and the other at 54 York Street, just outside the B-3 zone near Commercial Street and the Old Port/Waterfront Central neighborhoods. One project, part of the master development plan for the Portland Foreside mixed-use development, is located in the B-6 zone in the Eastern Waterfront. Another is situated in the Airport Business (A-B) zone, an area commonly associated with airport-related uses and business travel. Finally, one project was approved as part of a contract zone on Great Diamond Island.

Approved Hotel Projects by Zone (2019–2024)

Zone	Total Hotel Projects	Total Rooms Approved
B-2b	1	48
B-3	8	699
B-5	2	162
B-6	1	128
A-B	1	119
Contract Zone	1	8
TOTAL	**14**	**1,164**

In terms of size, there is no clear evidence of a significant trend toward smaller hotel projects (<10 rooms) as a means of avoiding Hotel IZ requirements. The average size of hotels operating prior to the adoption of the IZ policy was 89 rooms, compared to an average of 83 rooms for hotels approved since its implementation. Only one project approved since 2019 has been under 10 rooms. However, a notable emerging trend in hotel development is the rise of smaller-scale hotels with fewer than 30 rooms, offering an alternative to traditional accommodations. These boutique-style properties typically feature apartment-style suites with fully equipped kitchens, separate dining and living areas, and private bedrooms. They often operate with limited on-site staff, minimal amenities, and rely on mobile check-ins and lacking a centralized reception area. Four such projects—121 Middle Street, 178–184 Middle Street (Docent's Collection), 215 Commercial Street, and 54 York Street (The Weldon Hotel)—fit this model. While these developments were still required to comply with Hotel IZ regulations, they reflect a growing and distinct segment of the hospitality market that tend to operate more in the vein of short term rentals.

ReCode Zoning Changes

As part of the City's ReCode initiative, adopted by the City Council on November 4, 2024, new hotels are now prohibited in the B-1, B-2b, and TOD-1 zones. The purpose of these zones is to support neighborhood- and community-oriented retail, business, and service establishments within a more urban development pattern. They are intended to foster mixed-use development and moderate- to high-density housing in urban neighborhoods that align with the City's investment in high-frequency transit infrastructure, encouraging walking, biking, and public transit use. By prohibiting hotels in these zones, the City prioritizes housing and mixed-use developments and directs hotels to designated areas better suited for such uses.

ReCode also included changes to the definition of "hotel" within the land use code. These changes were designed to more clearly define hotels as multi-room commercial facilities with centralized reception, management, and cleaning services, and to address the emerging trend toward non-traditional forms of hotel development more akin to short-term rentals.

Inclusionary Zoning Fee-in-Lieu Assumptions

Linkage fees are often used by cities as a way to offset the impacts of new development. Before establishing a linkage fee, communities typically conduct a study that formally and systematically establishes the nexus, or the 'link,' between new development and the fee's purpose. In the case of the city's hotel IZ policy, a linkage fee study was completed in 2018 to document the nexus between hotel development and demand for affordable housing (Attachment C). The basic principle of the study, which was conducted by the Greater Portland Council of Governments (GPCOG), is that new hotel development creates new jobs and attracts new households to fill those jobs, and that new affordable housing is necessary to accommodate them.

When the hotel policy was created, it was also the intent that the linkage fee would be periodically updated. Although no specific timeframe was established for these updates and in anticipation of upcoming discussions regarding the current Hotel IZ fee amounts, City staff requested an updated fee-in-lieu analysis from GPCOG in early 2025 (Attachment D). It is important to note that GPCOG's current work did not include an evaluation of the 2018 fee study methodology, but instead simply replicated the original methodology using current day income and housing cost assumptions. In almost all cases, the current study used the same data sources as the 2018 study; the one exception was for housing cost data, where the original data source was no longer available. Because of this change in the availability of data, GPCOG supplied three possible updated fee-in-lieu figures, reflecting three estimated affordability gaps based on three alternative rental cost data sources (the City of Portland Rent Board reports, American Community Survey, or HUD Fair Market Rent). These figures range from $9,520 to $10,620 to $13,731 per room, depending on the rent data source used.

For purposes of comparison, staff conducted an initial analysis of the potential impact of these three possible fees, based on an average sized hotel in the City of Portland of 85 rooms. Under the possible fees, the total inclusionary zoning contribution for a hotel of this size would range from $809,164 to $902,720 to $1,167,120. The total contribution for an 85 room hotel at the 2025 hotel IZ figure of $4,831 per room would be $410,635.

NEXT STEPS:

If the summary and recommendations for changes to the existing Hotel IZ ordinance align with the committee's and City Council's priorities, the City can proceed in several possible directions:

1. **Option 1 - Raise IZ fee-in-lieu:** This option would increase the hotel IZ fee-in-lieu based on the estimated affordability gap identified in the 2025 GPCOG study. Staff seeks committee direction on the preferred fee amount based on the rent data source used. Based on the Council's direction, the housing unit per room requirement within hotel inclusionary zoning policy would also be adjusted.

2. **Option 2 - Raise IZ fee-in-lieu & reduce applicability threshold:** In addition to raising the hotel IZ fee-in-lieu based on the estimated affordability gap from the GPCOG study, this option would amend the definition of a "Hotel project" to apply to any size hotel, rather than the current requirement of only applying to projects that include 10 or more guest rooms. Based on the Council's direction, the housing unit per room requirement within hotel inclusionary zoning policy would also be adjusted.

3. **Option 3 - Maintain existing fee-in-lieu & reduce applicability threshold:** This option would retain the existing hotel IZ fee-in-lieu while reducing the applicability threshold. The definition of a "Hotel project" would be amended to include any hotel, rather than only those with 10 or more guest rooms. As in Option 2, the threshold of >10 rooms would be removed, making the IZ requirements applicable to all hotel projects. Based on the Council's direction, the housing unit per room requirement within hotel inclusionary zoning policy would also be adjusted.

FISCAL IMPACT

The hotel IZ policy has resulted in $834,374 in contributions to the housing trust fund, with just over $3 million in anticipated revenues from approved projects pending construction. The fee-in-lieu amount is adjusted annually. If the fee is updated to more accurately reflect current incomes and housing costs, assuming that hotel development trends hold steady, contributions to the housing trust fund could be expected to increase significantly.

CONCLUSION(S)

This item is for discussion and direction. If the committee supports the presented options and provides additional guidance on revisions, staff recommends that the hotel moratorium be extended to allow time for staff to draft proposed Land Use Code revisions. These revisions would then be reviewed by the Planning Board, which will provide a recommendation on a text amendment to update the Hotel Inclusionary Zoning ordinance for consideration by the full City Council. Following the Planning Board's recommendation, the amendment will move forward to the full City Council for consideration and final decision.

PRIOR COMMITTEE REVIEW

N/A

PREPARED BY

Kevin Kraft, AICP
Director
Planning & Urban Development

Nell Donaldson
Director of Special Projects
Planning & Urban Development

ATTACHMENTS

Attachment A – Hotel Moratorium Order 77-24/25
Attachment B – Hotel IZ Ordinance Order 134-18/19
Attachment C - GPCOG Linkage Study 2018
Attachment D - GPCOG Linkage Study 2025
Attachment E - Hotel IZ Ordinance - Chapter 14

To: **Jeff Levine, Planning & Urban Development Director**
From: **Stephanie Carver, GPCOG Planning Director**
Date: **8/29/18**
RE: **Proposed Hotel Linkage Fee: Supportable Range**

This memo has been expanded and updated based on additional data provided by the Maine Innkeepers Association.

Introduction

The City of Portland's Department of Planning & Urban Development is examining the feasibility of a proposal for assessing hotel linkage fees that would recover the cost of producing housing that is affordable for hotel employees. The purpose of this memo is to provide information to the City regarding the use of linkage fees for this purpose and outline a potential methodology for the calculation of a fee.

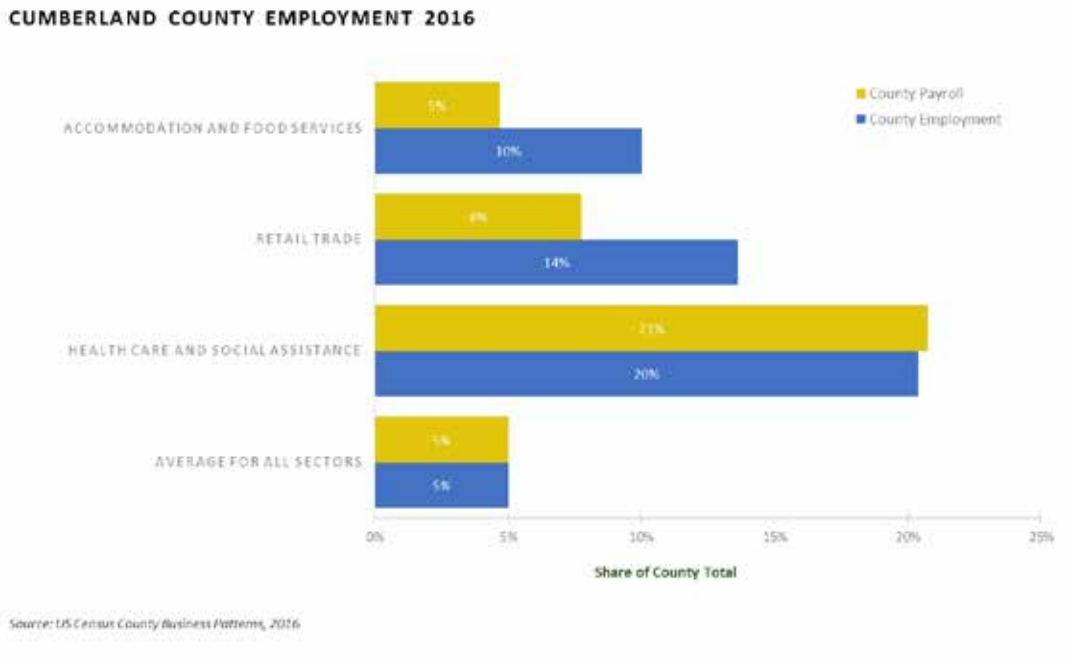
We have used the best available data to demonstrate how this methodology could be used to estimate a potential hotel linkage fee, but this does not constitute a recommendation from GPCOG as to the amount the City of Portland should charge for the hotel linkage fee nor is it a recommendation for the City of Portland to enact a hotel linkage fee ordinance.

Background

Linkage fees are fees that cities may choose to implement to help mitigate the impact of new commercial development on the demand and availability of affordable housing. Prior to implementing a fee policy, communities often conduct a study to identify the connection, or "nexus" between new commercial development and the need for additional affordable housing. It is assumed that new commercial development contributes additional workers to a city's workforce and adds new worker households. In many industries, a percentage of these households do not make enough to live and work in the same city. Looking outside the city to find affordable housing often results in longer commute times and higher transportation costs. If implemented, a linkage fee is typically charged to a developer as a condition of approval and it is assessed based on total square footage or number of units in the development.

The City's Comprehensive Plan identifies the increasing demand for affordable housing as an emerging issue and sets a goal of pursuing "policies to enable people who work in Portland to have the option to live in Portland." To be considered affordable, housing should consume no more than 30% of a household's income including rent, mortgage, utilities and other household related costs. Of the 1,130 housing units that were permitted and/or built in Portland between 2010 to 2014,

including apartments, condominiums and single-family homes, just 29% were offered at a rent or sales price affordable to a household earning the median income[i].



The Maine Office of Tourism estimates over 6 million tourists visited Portland in 2017. Hotel development is steadily increasing, with 1,811,050 square feet of hotel development - representing 2,647 units - currently in operation throughout the City. According to the US Census, the accommodation and food service sector is the third largest share of employment in Cumberland County, representing 10% of the County's workforce but only 5% of the County's payroll.

According to the Maine State Housing Authority the average rent (including utilities) for a two-bedroom apartment in Portland is $1,053 per month, and the household income needed to afford the average rent in Portland is $42,111 per year. However, this is the average rent paid by existing renters in Portland and new households moving to Portland will pay the current market rate, which is generally higher than the average rent. As of June 15, 2018, there are roughly 60 two-bedroom apartments listed for rent in Portland on Zillow, with monthly rents ranging between $1,300-$3,500. One third of those apartments are listed with rents between $1,500 and $2,000, and another third of those apartments are listed for more than $2,000 per month. Therefore, a new household moving to Portland will expect to pay between 120%-330% of the average rent to live in the City.

There are a range of estimates available regarding the average wages of a full-time employee in this sector, and all are well below the household income needed to afford housing in Portland. According to the US Census, the average Cumberland County employee in this sector earns $312 a week or $16,227 per year. The Maine Department of Labor (DOL) estimates the median income for a full-time

Cumberland County employee in this sector to be significantly higher, $24,908 per year. Additionally, as of 2017 the minimum wage in Portland is $10.68/hour, so a full-time employee making this salary would earn an annual income of $22,214. This affordability gap may force accommodation workers employed in Portland to seek housing outside of Portland.

Data

The minimum justified fee per square footage of hotel development outlined in this memo is based on data from both the US Census American Community Survey (ACS), and wage data from the Maine Department of Labor (DOL).

The US Census American Community Survey (ACS) data in this memo was used because it is the most comprehensive and consistent data source for demographic and economic characteristics of the population in GPCOG's service area. However, there are some limitations to the ACS data. First, it is 5-year sample data because this is the only data consistently available at the municipal, county, and state level. The drawback to using data pooled over five years is it averages out any short-term changes in income due to economic cycles or Portland's more recent minimum wage increase. Second, the median earnings reported by the ACS are based on what individuals report for their earnings regardless of whether they work full-time or part-time. As a result, these earnings may be skewed lower by individuals who work part-time, which may be more common for employment in the retail, food service, or accommodation sectors.

To balance these limitations, the median weekly wage data from the Maine DOL was also included in the analysis. The Maine DOL wage data is from the Quarterly Census of Employment and Wages (QCEW), which is based on employment and wage data reported to the Unemployment Insurance (UI) of the United States. The Maine DOL data also has some limitations. First, the data are only available at the industry level, so it is not possible to calculate the affordability gap for different occupations in the hotel sector. Second, the average weekly wage reported by the QCEW also does not differentiate between full-time and part-time employment. As a result, the weekly wage data reported by the Maine DOL may be skewed both by higher wage occupations and by part-time employment. The average weekly wage reported by Maine DOL was used to calculate yearly income based on full-time employment. This also assumes individuals employed in the accommodation sector can work full-time if they are willing and able to[ii].

Methodology

Methodologies used to calculate linkage fees vary, but in most cases the analysis begins with an estimation of the number of new employees associated with a typical development, in this case a hotel. In this methodology, a formula is used to calculate the affordability gap between what workers can afford to pay for housing and the average cost of market rate housing.

In Portland's case, a link is established between the creation of new jobs in the hotel sector and the increased demand for affordable housing through the following steps:

- **New Jobs.** Industry data was used to estimate the number of direct jobs that will be created by a new hotel with 180 units. According to the Urban Land Institute the typical hotel employs between 0.5-0.8 employees per hotel room. Using an average value of 0.65 employees per hotel room, it is estimated that a hotel with 180 rooms will employ 117 people. The current ratio of jobs per household was used to estimate how many households will be created by this new employment.
- **Households.** Currently there are 37,737 employed civilians aged 16 and over within the 30,211 total households in Portland. This means that on average there are 1.2 jobs per every household in Portland. Based on this ratio it is estimated that the 117 additional jobs created by a new hotel will create 94 new households in Portland. However, it is assumed employment in these households will be split up between different occupations, such as management, sales, service, and maintenance. The wages for each specific occupation may be higher or lower than the median wage for the hotel industry. Therefore, industry occupation employment and wage data examined from the ACS was used to estimate how many new households will be low income.

EMPLOYED POPULATION PER HOUSEHOLD 2016

	Portland	Cumberland County	Maine
Employed Civilian Population 16+	37,737	155,014	652,638
Total Households	30,211	117,871	551,109
Jobs/Household	1.2491	1.3151	1.1842

Source: American Community Survey 2016 5-year estimate

- **Jobs by Occupation.** Based on industry and occupation employment data from the ACS 64% of jobs in the hotel industry are service occupations, 19% of hotel jobs are management occupations, 13% of hotel jobs are sales and office occupations, and the remainder are maintenance and transportation occupations. The total number of jobs and households that will be created in each occupation was calculated by multiplying the share of hotel employment by occupation by the total number of new hotel jobs created.

NEW JOBS AND HOUSEHOLDS BY OCCUPATION CREATED BY NEW HOTEL EMPLOYMENT

	Share of Hotel Employment	Number of New Jobs	Number of New Households
Service	**64%**	**74**	**60**
Sales and Office	13%	15	12
Transportation	4%	4	3
Maintenance	1%	1	1
Management	19%	22	18
Total - All Occupations	100%	117	94

Source: American Community Survey 2016 5-year estimate; GPCOG Analysis

- **Household Income**. Median wage by occupation data for Cumberland County from the ACS was used to calculate the household income for each household in each occupation category. This calculation assumes 1 person in each new household works full-time in the hotel industry and any additional workers in the household earn the area median income:

NEW HOUSEHOLDS AND HOUSEHOLD INCOME BY OCCUPATION (ACS DATA)

	Number of New Households	Median Wage for Hotel Income Earner	Median Wage for Second Income Earner	Total Household Income
Service	**60**	**$18,109**	**$9,015**	**$27,124**
Sales and Office	**12**	**$30,444**	**$9,015**	**$39,459**
Transportation	**3**	**$31,695**	**$9,015**	**$40,710**
Maintenance	1	$33,421	$9,015	$42,436
Management	18	$52,910	$9,015	$61,925

Source: GPCOG Analysis and American Community Survey 2016 5-year estimates

Median wage by industry data from the Maine DOL was also used to calculate the average household income for the 94 new households created by hotel employment:

NEW HOUSEHOLDS AND HOUSEHOLD INCOME (MAINE DOL DATA)

	Number of New Households	Median Wage for Hotel Income Earner	Median Wage for Second Income Earner	Total Household Income
Accommodation	**94**	**$24,908**	**$12,164**	**$37,072**

Source: GPCOG Analysis and Maine DOL QCEW 2016

- **Affordability Gap.** These estimates for household income by occupation were compared to housing affordability data from the Maine State Housing Authority to show the difference between what the new households created by hotel employment earn and the minimum income needed to afford a two-bedroom apartment in Portland. These results show that households with Service, Sales and Office, and Transportation occupations have a household income that is lower than the minimum income needed to afford rental housing in Portland. This household affordability gap is largest ($14,987) for households with Service occupations, which also represent nearly 2/3 of households created by the new hotel employment.

AFFORDABILITY GAP ANALYSIS (ACS DATA)

	Number of New Households	Total Household Income	Income Needed to Afford Rent in Portland	Household Affordability Gap	Total Affordability Gap
Service	**60**	**$27,124**	**$42,111**	**$14,987**	**$892,820**
Sales and Office	**12**	**$39,459**	**$42,111**	**$2,652**	**$32,048**
Transportation	**3**	**$40,710**	**$42,111**	**$1,401**	**$4,856**
Maintenance	1	$42,436	$42,111	NA	$0
Management	18	$61,925	$42,111	NA	$0
Total					**$929,724**

Source: Maine State Housing Authority, 2017; American Community Survey 2016 5-year estimates

The household affordability gap using the median wage by industry data from the Maine DOL was also calculated:

AFFORDABILITY GAP ANALYSIS (MAINE DOL DATA)

	Number of New Households	Total Household Income	Income Needed to Afford Rent in Portland	Household Affordability Gap	Total Affordability Gap
Accommodation	**94**	**$37,072**	**$42,111**	**$5,039**	**$472,007**

Source: Maine State Housing Authority, 2017; Maine DOL QCEW 2016

- **Aggregate Affordability Gap.** The household affordability gap for each occupation was multiplied by the number of households with employment in each occupation to arrive at a total affordability gap that ranges between $472,007 and $929,724 per year. This number represents the difference between these households' ability to pay for their housing and the market cost of their housing based on the median monthly rent, for one year. In reality these

households may face higher rental housing costs since current Portland rents for new units are significantly higher than the median rent.

- **Final Calculation.** Dividing the affordability gap by the number of new hotel rooms results in an average affordability gap that ranges between $2,622 and $5,165 per room, or between $3.91 and $7.70 per square foot. Therefore, a fee between ***$3.90-$7.70 per square foot*** would cover a minimum justified housing affordability gap for the 94 new households created by a new 180-unit hotel employment for one year. This methodology assumes the median wage for a hotel income earner in the service industry, including full-time and part-time employees, is $18,109 based on US Census ACS data. If it is instead assumed that hotel service industry employees are working full-time at the City's minimum wage of $10.68/hour and making $22,241 annually, then the minimum justified fee would be between $2,622 and $3,806 per room or ***$3.90-$5.67 per square foot*** of hotel development for one year. However, this assumes individuals working in the service sector are able to procure full-time employment, which is not always the case[ii].

This example estimate represents the full cost of the affordability gap for employment in one hotel for one year as calculated by the proposed methodology. Multiple factors could potentially impact the demand for affordable housing and the City may determine a higher or lower percentage of this fee based on these variables. Furthermore, this fee could be re-evaluated periodically as circumstances such as inflation, rents, and rental housing supply change.

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[i] Portland 2030 Housing Demand, GPCOG 2015

[ii] According to a 2016 study (https://www.epi.org/publication/still-falling-short-on-hours-and-pay-part-time-work-becoming-new-normal/#epi-toc-21) from the Economic Policy Institute the retail trade and leisure and hospitality sectors contributed to 63% of the growth in part-time employment and 54% of the growth in involuntary part-time employment from 2007-2015. Involuntary part-time employment is defined as individuals who are working part time because full time work could not be found or hours were reduced due to economic conditions (slack work).

GPCOG
GREATER PORTLAND
COUNCIL OF GOVERNMENTS

MEMO

To: Kevin Kraft, Director of Planning & Urban Development
From: Kristina Egan, GPCOG Executive Director
Date: 3/18/25
Re: Hotel Linkage Fee Update

Introduction

In 2018, the City of Portland asked the Greater Portland Council of Governments (GPCOG) to assess the feasibility of a hotel linkage fee that could be used to help offset the cost of producing affordable housing for hotel employees. The resulting memo outlined the use of linkage fees for this purpose, proposed a methodology for calculating the fee, and provided a range of justifiable figures for implementation. Using this analysis, the City established inclusionary zoning requirements for hotels and an in-lieu fee of $3,806 per guest room. This figure has been adjusted annually in the time since its adoption. The fee-in-lieu for 2025 is $4,831 per guest room.

Recognizing significant market changes since 2018, the City of Portland requested an updated analysis in early 2025. The following memo replicates the original linkage fee methodology to the best extent possible using updated data.

Background

Linkage fees are tools cities can use to offset the impact of new commercial development on affordable housing availability and demand. Before implementing such a policy, communities typically conduct a study to identify the "nexus" between new development and the need for additional affordable housing. The assumption is that commercial growth brings new workers, some of whom may not earn enough to live in the city. This often forces households to seek housing outside the city, resulting in longer commutes and higher transportation costs. If adopted, a linkage fee is typically charged to developers as a condition of project approval, based on the development's total square footage or number of units.

Data

Where possible, the hotel linkage fee range in this memo is based on the same data sources used in the original 2018 study. To maintain consistency, 2023 data was used across multiple sources, even when newer data was available in some cases.

Employment + Wage Data

This analysis relies on employment and wage data from the U.S. Census American Community Survey (ACS), which provides the most consistent workforce and wage estimates. The previous memo also incorporated wage data from the Maine Department of Labor as a point of comparison; however, the adopted hotel linkage fee was ultimately based on wage data from the ACS.

Housing Cost Data

The 2018 linkage fee study used rental data from the Maine State Housing Authority to establish a baseline housing cost, using a two-bedroom unit as a reference point (due to its ability to accommodate the assumed household size). However, in the time since, Maine Housing has stopped publishing rental data. As a result, this memo relies on several other readily available sources of rental data to estimate housing costs, including the Department of Housing and Urban Development's Fair Market Rent (FMR) Documentation System, the American Community Survey, and the City of Portland's Rent Board Report.

- **Fair Market Rent:** FMR represents the average cost of renting a moderately priced home, including utilities, in a specific area. It is used to set rent limits for housing assistance programs to ensure they align with current market conditions. The Portland, ME HUD Metro FMR Area includes municipalities in Cumberland County and parts of York County. Updated annually, FMR estimates are based on rental market surveys, American Community Survey data, and inflation adjustments.[1]
- **U.S. Census ACS Data:** The ACS provides median gross rent estimates by unit size, accounting for both rent and utilities when not already included. Data is based on five-year samples, which help ensure statistical reliability but smooth out short-term rent fluctuations. Estimates reflect both market-rate and subsidized rentals.[2]
- **City of Portland Rent Board Report:** These annual reports provide data on rental availability, city-wide rent prices, rental market trends, and board actions on rent increases, among other topics.[3]

Methodology

Linkage fee calculations typically estimate the number of new employees and households generated by a development, such as a hotel. Wage and rent data are then used to estimate the gap between what these workers can afford for housing and the average market rent. This memo presents that analysis for Portland, using the most recent and locally relevant data, through the following steps:

Number of New Jobs

To estimate job creation, industry data was applied to a 180-room hotel – chosen as a representative example based on an actual development. While staffing levels vary based on factors such as hotel size, service level, and operational needs, the original linkage fee study assumed a ratio of .65 employees per hotel room, based on numbers from the Urban Land Institute. Using this ratio, a 180-room hotel is expected to generate 117 jobs.

Number of New Households

The current ratio of jobs per household was then used to estimate the number of households represented by this new employment. Portland currently has 39,590 employed civilians aged 16 and over across 32,393 households[4], or an average of 1.22 jobs per household. Using this ratio, the 117 new jobs created by the example 180-room hotel would generate an estimated 96 new households.

Employment and Households by Occupation

The jobs held by hotel employees would span various occupations – management, sales, service, maintenance, etc.— with wages varying by role. To estimate how many of the households employed by a new hotel would be low-income, industry-specific employment and wage data from the American Community Survey was used. The American Community Survey groups Arts, Entertainment, Recreation, Accommodation, and Food Services together, reflecting industries tied to the service sector. While this broad category includes more than just hotel jobs, it offers the best available estimate for occupational distribution. Within this sector, approximately 56% of jobs are in service occupations, 31% in management, 7% in sales and office, 6% in transportation, and 1% in maintenance.[5]

The table below estimates the number of new employees and households created by occupation.

ESTIMATED NEW HOTEL JOBS AND HOUSEHOLDS BY OCCUPATION

	% of Service Sector Employment	# of New Hotel Employees[i]	# of New Households[ii]
Service	55.5%	65	53
Management	30.6%	36	29
Sales and Office	6.8%	8	7
Transportation	5.8%	7	6
Maintenance	1.2%	1	1
Total	100%	117	96

[i] *Calculated by multiplying the percentage of service sector employment by the total estimated 117 hotel employees.*

[ii] *Calculated by multiplying the percentage of service sector employment by the total estimated 96 households.*

Household Incomes

Household income estimates were calculated using Cumberland County's ACS median earnings data by occupation for 2023.[6] This approach reflects the broader region where hotel workers in Portland may reside. The one exception is for service workers, where the City of Portland's 2023 minimum wage of $14/hour was substituted for the ACS median wage. The household income calculations assume one person in each household works full time in the hotel industry and also assumes a second household member makes the area median earnings.[7] The table below presents these estimated household incomes by occupation.

ESTIMATED NEW HOUSEHOLDS AND HOUSEHOLD INCOME BY OCCUPATION (2023 ACS DATA)

	# of New Households	Median Wage for Hotel Employee	Median Wage for 2nd Income Earner[ii]	Total Household Income
Service[i]	53	$29,120	$10,899	$40,019
Management	29	$71,711	$10,899	$82,610
Sales and Office	7	$42,467	$10,899	$53,366
Transportation	6	$40,829	$10,899	$51,728
Maintenance	1	$50,572	$10,899	$61,471

[i] *The Service wage reflects Portland's 2023 minimum wage of $14/hour, as the Census estimate was below the legal minimum.*

[ii] *The second income earner's wage of $10,899 is based on 0.22 of the 2023 Census median earnings for all occupations in Cumberland County ($49,540), reflecting the estimated 1.22 employees per household.*

Affordability Gap

To create a range, the estimated household incomes for each occupation category were then compared to three different rent data sources to assess whether new hotel employees can afford a two-bedroom unit in Portland and to calculate the cumulative 'affordability gap.'

ESTIMATED AFFORDABILITY GAP: 2023 FAIR MARKET RENT FOR PORTLAND METRO AREA
[$1,859 for a two-bedroom unit]

	New Households	Household Income	Income Needed[i]	Affordability Gap (HH)	Total Gap
Service	53	$40,019	$79,671	$39,652	$2,101,556
Management	29	$82,610	$79,671	- $2,939	N/A
Sales and Office	7	$53,366	$79,671	$26,305	$184,135
Transportation	6	$51,728	$79,671	$27,943	$167,658
Maintenance	1	$61,471	$79,671	$18,200	$18,200
Total	96	--	--	--	$2,471,549
				Per Room	***$13,731***

[i]*Annualizing Fair Market Rent ($1,859 * 12 months = $22,308) and dividing by 0.28 yields $79,671, ensuring rent remains just below the 30% housing cost burden threshold.*

ESTIMATED AFFORDABILITY GAP: 2023 ACS MEDIAN GROSS RENT FOR PORTLAND
[$1,664 for a two-bedroom unit]

	New Households	Household Income	Income Needed[i]	Affordability Gap (HH)	Total Gap
Service	53	$40,019	$71,314	$31,295	$1,658,635
Management	29	$82,610	$71,314	- $11,296	N/A
Sales and Office	7	$53,366	$71,314	$17,948	$125,636
Transportation	6	$51,728	$71,314	$19,586	$117,516
Maintenance	1	$61,471	$71,314	$9,843	$9,843
Total	96	--	--	--	$1,911,630
				Per Room	***$10,620***

[i]*Annualizing ACS median rent ($1,664 * 12 months = $19,968) and dividing by 0.28 yields $71,314, ensuring rent remains just below the 30% housing cost burden threshold.*

ESTIMATED AFFORDABILITY GAP: 2023 CITY OF PORTLAND RENT BOARD
[$1,595 for a two-bedroom unit]

	New Households	Household Income	Income Needed[i]	Affordability Gap (HH)	Total Gap
Service	53	$40,019	$68,357	$28,338	$1,501,914
Management	29	$82,610	$68,357	- $14,253	N/A
Sales and Office	7	$53,366	$68,357	$14,991	$104,937
Transportation	6	$51,728	$68,357	$16,629	$99,774
Maintenance	1	$61,471	$68,357	$6,886	$6,886
Total	96	--	--	--	$1,713,511
				Per Room	***$9,520***

[i]*Annualizing ACS median rent ($1,595 * 12 months = $19,140) and dividing by 0.28 yields $68,357, ensuring rent remains just below the 30% housing cost burden threshold.*

Final Calculation

As shown on the previous page, dividing the total affordability gap by the 180 new hotel rooms results in an **estimated per-room affordability gap ranging from $9,520 to $10,620 to $13,731** depending on the rent data source used (City of Portland Rent Board, American Community Survey, or HUD Fair Market Rent). This estimate reflects the full annual affordability gap associated with the jobs generated by a single hotel room based on the methodology from the original 2018 study.

[1] Department of Housing and Urban Development FY 2023 Fair Market Rent Documentation System for the Portland, ME HUD Metro FMR Area

[2] U.S. Census American Community Survey 2019-2023 5-year estimate (Table B25031)

[3] 2023 Portland Rent Board Annual Report (pg. 12)

[4] U.S. Census American Community Survey 2019-2023 5-year estimate (Table DP03)

[5] U.S. Census American Community Survey 2019-2023 5-year estimate (Table S2405)

[6] U.S. Census American Community Survey 2019-2023 5-year estimate (Table B24011)

[7] U.S. Census American Community Survey 2019-2023 5-year estimate (Table S2001)

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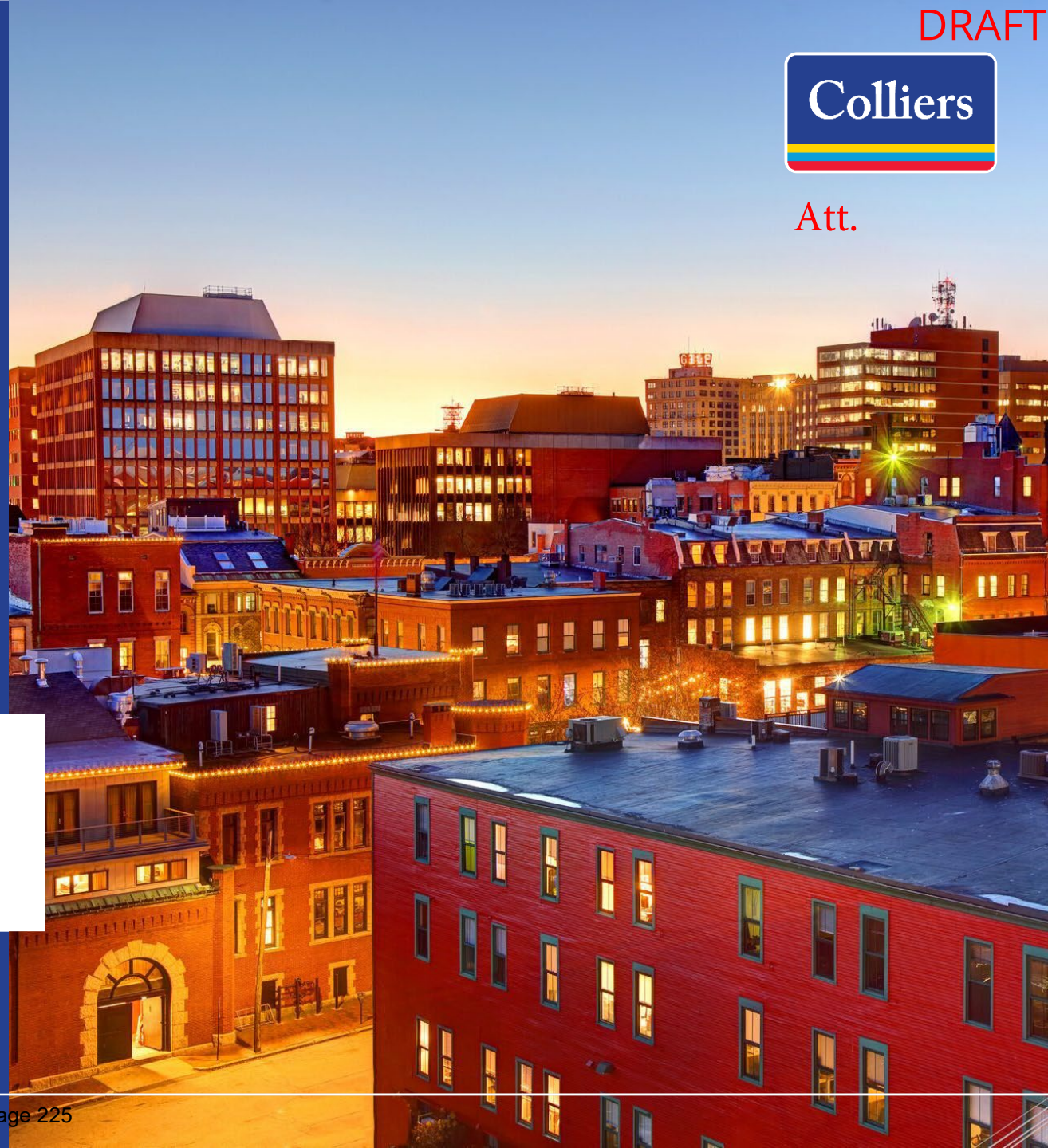
Att.

Real Estate Consulting Study

Hotel IZ Feasibility Assessment



Presented to: City of Portland, ME
Presented to: Department of Planning and Urban Development
Presented by: Colliers
Date: 9/8/2025

Accelerating success.

Presentation Outline

1. About Colliers
2. Understanding of the Situation
3. Colliers Study Assumptions
4. Executive Summary
5. Urban Hotel
6. Airport Hotel
7. Prototype Hotel
8. Conclusions
9. Q&A Discussion

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Who is **Colliers**

We are enterprising.

Our expert advice to property occupiers, owners and investors leads the industry into the future. We invest in relationships to create enduring value.

What sets us apart is not what we do, but how we do it. Our people are passionate, take personal responsibility and always do what's right for our clients, people and communities. We attract and develop industry leaders, empowering them to think and act differently to drive exceptional results.

What's more, our global reach maximizes the power of property, wherever our clients do business.

At Colliers, we **accelerate success**.



Annual revenue

$4.3B

Countries we operate in

66

Assets under management

$98B

Lease and sale transactions

46,000

Square feet managed

2B

Professionals

19,000

Number of countries includes affiliates

Our **clients**
Who do we work with?

Landlords & Investors

Investment Sales
Leasing
Real Estate Management
Project Management
Valuation & Advisory
Consulting
Tax Appeal
Research

Tenants / Occupiers

Leasing
Corporate Solutions
Consulting
Lease Audits
Real Estate Management
Tax Appeal
Research
Location Advisory
Workplace Strategy & Innovation

Developers & Investors

Investment Sales
Leasing
Project Management
Valuation & Advisory
Consulting
Research



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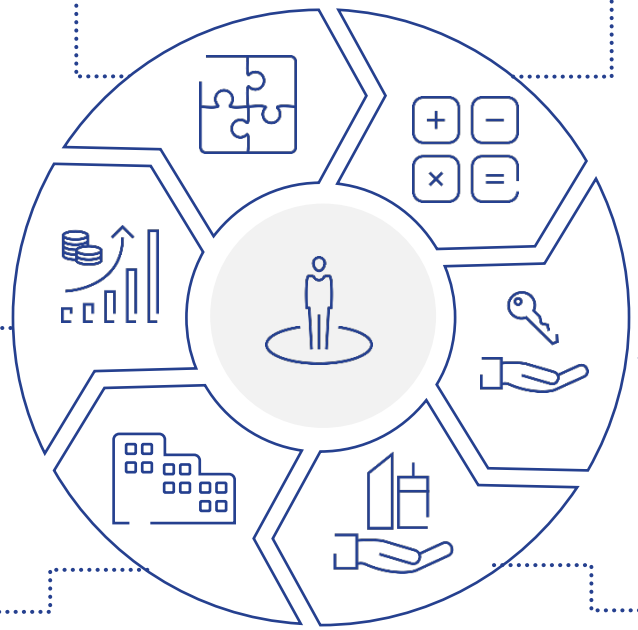
Platform **Depth**

Maximize the potential

Asset Evaluation

Market positioning, financial analysis, capital improvements

Valuation Services



Capital Markets & Investment Sales

Leasing and Marketing Strategy

Asset Optimization

- ESG
- Project Management
- Workplace Strategy Advisory
- Technology Solutions
- Tenant Advisory Council

Real Estate Management Services

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Understanding of the Situation

Study Objectives



Overview

- The City of Portland is evaluating a potential update to its hotel linkage fee to supports the development of affordable housing.
- A range of potential per-room fees, ranging from the current fee of $4,831 to a maximum fee of $13,731, was identified.
- A further modification is being considered that would yield a maximum per-room linkage fee of $28,835.10.
- Colliers International was retained to assess the feasibility of the various hotel linkage fees on multiple hotel development scenarios including a:
  - Boutique Urban Hotel Project**:** 48-room, full service
  - Airport Hotel Project: 120-room, select service
  - A Prototype Hotel Project: 85-room, full service

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Understanding of the Situation

Requested Scope of Work



Colliers' Scope of Work

- Colliers modeled the feasibility impacts of the hotel linkage fee at the low end ($4,831/room), middle, based upon the highest figure in the 2025 GPCOG Nexus Study ($13,731/room), and high end ($28,835/room) of the proposed fee range.
- Colliers identified the threshold fee level at which the linkage fee would materially impact the financial feasibility, using standard industry metrics such as Yield on Cost (YoC), Internal Rate of Return (IRR), and Total Development Cost (TDC).
- Colliers calculated a maximum level of economically supportable fees that can be determined based on the analysis.

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Colliers Study Assumptions

Sources of Information



Development Assumptions

- Colliers utilized its Research Group and Valuation Group to collect information on historical construction costs, land sales and future development pipeline.
- Colliers leveraged industry contacts to understand current construction hard costs for similar development projects.
- Colliers inflation adjusted the collected data to “true up” the values to 2025 estimates.
- When possible, Colliers utilized industry standard ratios to calculate architecture and engineering costs, insurance and real estate taxes, contingencies, developer fees, debt/lending costs, and other soft costs.
- Colliers assumes the estimated budgets are in-line with what the actual project costs are for the Urban and Airport projects.
- Colliers assumes that all developments are low-rise projects.

Colliers Study Assumptions

Sources of Information



Operating Assumptions

- Colliers utilized public and internal repositories to collect submarket information on Average Daily Rate ("ADR"), Revenue Per Available Room (RevPAR), and forward-looking trends.
- Colliers used both the 3-month (June-August) and 12-month (September-August) averages from CoStar and Smith Travel Research to produce its best estimates for its analysis.
- Colliers assumed the various submarkets in the Greater Portland Area reflect the differences between the various hotel development types analyzed. The submarkets used were:
  - Portland Downtown Submarket: Urban and Prototype Projects
  - Portland Surrounding: Airport Hotel
- When possible, Colliers utilized industry standard ratios to calculate department revenue and expense, undistributed costs, management and franchise fees, and return hurdles.

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Colliers Study Assumptions

Development and Operations Ratios

Developmemt Assumptions

Land Costs	Urban	Airport	Prototype
Acquisition Cost (Land)	Actual Land Cost	Actual Land Cost	Urban Hotel Cost
Acquisition Cost (Legal)	1.00% of Land Cost	1.00% of Land Cost	1.00% of Land Cost
Transfer Taxes (Buy Side)	$1.10 per $500	$1.10 per $500	$1.10 per $500
Due Diligence Fees	1.00% of Land Cost	1.00% of Land Cost	1.00% of Land Cost

Hard Costs	Urban	Airport	Prototype
Hard Cost (Vertical)	$250.00/GSF	$250.00/GSF	$250.00/GSF
Hard Cost (Garage)	$50,000/Space	N/A	$50,000/Space
Cost Escalation	5.00%/Year to Midpoint	5.00%/Year to Midpoint	5.00%/Year to Midpoint
CM Fee	2.00% of Direct Costs	2.00% of Direct Costs	2.00% of Direct Costs
Hard Cost Contingency	5.00% of Hard Costs	5.00% of Hard Costs	5.00% of Hard Costs

Soft Costs	Urban	Airport	Prototype
Architect - Design Phase	5.00% of Hard Costs	5.00% of Hard Costs	5.00% of Hard Costs
Architect - CA	1.50% of Hard Costs	1.50% of Hard Costs	1.50% of Hard Costs
Engineering	1.50% of Hard Costs	1.50% of Hard Costs	1.50% of Hard Costs
Legal	$50,000	$50,000	$50,000
Owner's Project Manager	1.00% of Hard Costs	1.00% of Hard Costs	1.00% of Hard Costs
Permitting & Entitlement	1.25% of Hard Costs	1.25% of Hard Costs	1.25% of Hard Costs
Developer Fee	3.00% of TDC	3.00% of TDC	3.00% of TDC
Insurance	1.25% of Hard Costs	1.25% of Hard Costs	1.25% of Hard Costs
Real Estate Taxes	$15.01 Per $1,000	$15.01 Per $1,000	$15.01 Per $1,000
FF&E (Common Areas)	$25.00/SF (Common)	$25.00/SF (Common)	$25.00/SF (Common)
FF&E (Rooms)	$10,000/Key	$10,000/Key	$10,000/Key
Marketing	$2,000/Key	$2,000/Key	$2,000/Key
Soft Cost Contingency	5.00% of Soft Costs	5.00% of Soft Costs	5.00% of Soft Costs
City of Portland Impact Fee	Variable	Variable	Variable

Colliers did not have access to updated information realted to the development costs and operational performance with respect to any of the projects. The underwriting is based on information collected from Colliers internal and external resources. Any variation from the actual performance of the identified assets may occur, and Colliers has assumed that its estimates are as accurate as possible given the limited availability of information.

Operations Assumptions

Department Revenues	Urban	Airport	Prototype
ADR	$247.93/Night	$188.08/Night	$247.93/Night
Occupancy Rate	80% Occupancy	80% Occupancy	80% Occupancy
Restaurant	$75.00 RevPOR	N/A	$75.00 RevPOR
Café	$50.00 RevPOR	N/A	$50.00 RevPOR
Lobby / Bar	$25.00 RevPOR	$5.00 RevPOR	$25.00 RevPOR
In-Room	$55.00 RevPOR	N/A	$55.00 RevPOR
Conference Room	30.00% of Total Revenue	N/A	30.00% of Total Revenue
Mini Bar Food Revenue	$12.00 RevPOR	$5.00 RevPOR	$12.00 RevPOR
Other F&B	$5.00 RevPOR	N/A	$5.00 RevPOR
Parking Revenue	$32.00 RevPOR	N/A	$32.00 RevPOR
Spa	$35.00 RevPOR	N/A	$35.00 RevPOR

Department Expenses	Urban	Airport	Prototype
Room Expense	30% of Room Revenue	30% of Room Revenue	30% of Room Revenue
Total Cost of F&B	32.00% of F&B Revenue	32.00% of F&B Revenue	32.00% of F&B Revenue
Payroll and Related Expenses	30.00% of F&B Revenue	30.00% of F&B Revenue	30.00% of F&B Revenue
Other Expenses	0.50% of F&B Revenue	0.50% of F&B Revenue	0.50% of F&B Revenue
Parking Garage Costs	3.00% of Total Revenue	N/A	3.00% of Total Revenue

Undistributed Expense	Urban	Airport	Prototype
G&A	10.00% of Total Revenue	10.00% of Total Revenue	10.00% of Total Revenue
Credit Card Fees	1.88% of Total Revenue	1.88% of Total Revenue	1.88% of Total Revenue
Sales & Marketing	1.00% of Total Revenue	1.00% of Total Revenue	1.00% of Total Revenue
Franchise Fees - Royalty	5.50% of Total Revenue	5.50% of Total Revenue	5.50% of Total Revenue
Franchise Fees - Marketing	2.50% of Total Revenue	2.50% of Total Revenue	2.50% of Total Revenue
IT Costs	0.25% of Total Revenue	0.25% of Total Revenue	0.25% of Total Revenue
Repairs & Maintenance	5.00% of Total Revenue	5.00% of Total Revenue	5.00% of Total Revenue
Utilities	5.00% of Total Revenue	5.00% of Total Revenue	5.00% of Total Revenue
Management Fee	3.0% of Total Revenue	3.0% of Total Revenue	3.0% of Total Revenue
Real Estate Taxes	Variable	Variable	Variable
Insurance	1.70% of Total Revenue	1.70% of Total Revenue	1.70% of Total Revenue
Capital & FF&E Reserve	$500.00/Key	$500.00/Key	$500.00/Key

Colliers Executive Summary

Overall Conclusions



- **Current Linkage Fees are likely too low**: In all scenarios, the Low Linkage Fee amount still produced a very profitable project. If all other variables are held level, the fee can be increased to varying levels.
- **Full-service hotels do not produce overarching returns**: Although the RevPAR/ADR is higher in urban hotels, the operating costs are higher too. Overall margins were similar across all scenarios.
- **Scale could translate to better returns**: The largest scenario is the Airport Hotel Project, and the return metrics are better than the Urban Hotel Project. Even better is the Prototype Hotel Project, and they may be due to the additional revenue sources finally gaining enough scale to override the fixed costs.
- **Linkage Fee Breakeven is not a "one size fits all" amount**: Because of this, the real Breakeven value will likely have to be set by the returns of the worst performing scenario.

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Colliers Executive Summary

Urban Hotel Project



A downtown, full-service hotel offer a wide array of amenities and services, including on-site restaurants, room service, fitness centers, spa, concierge services, and meeting and banquet rooms.

- **Current Fee**: The current fee of $4,831/key generates sufficient return metrics which may allow increases to the fee.
- **Middle Fee**: The middle fee of $13,831/key should generate sufficient return metrics, and there is a possibility to increase the fee amount slightly.
- **High Fee**: The high fee of $28,835/key is not feasible for a hotel project of this scale.
- **Breakeven Fee**: If the target return hurdles are a minimum 20.0% Levered IRR and a 7.5% Trended Yield on Cost, the Linkage Fee is $17,000/key
- **Conclusion**: The potential for additional Linkage Fees is limited by the low room key count.

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Colliers Executive Summary

Urban Hotel Project

Low Linkage Fee	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($18,042,540)	$16,879,341	14.37%	1.97x	Yield on Cost: 7.96%
Levered	($7,216,152)	$12,578,948	22.09%	2.52x	
Limited Partner	($7,431,621)	$9,698,463	20.15%	2.31x	
Sponsor	($825,736)	$2,880,485	34.32%	4.49x	

Middle Linkage Fee	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($18,490,976)	$16,452,141	13.76%	1.92x	Yield on Cost: 7.77%
Levered	($7,396,291)	$12,130,512	20.64%	2.44x	
Limited Partner	($7,593,747)	$9,462,571	18.91%	2.25x	
Sponsor	($843,750)	$2,667,940	31.88%	4.16x	

High Linkage Fee	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($19,251,881)	$15,727,149	12.79%	1.85x	Yield on Cost: 7.46%
Levered	($7,701,659)	$11,369,607	18.40%	2.30x	
Limited Partner	($7,868,578)	$9,062,304	17.02%	2.15x	
Sponsor	($874,286)	$2,307,302	27.84%	3.64x	

Breakeven @ $17,000/Key	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($18,655,860)	$16,295,229	13.55%	1.90x	Yield on Cost: 7.70%
Levered	($7,462,979)	$12,038,066	20.01%	2.40x	
Limited Partner	($7,756,835)	$9,445,771	18.38%	2.22x	
Sponsor	($861,871)	$2,592,294	30.80%	4.01x	

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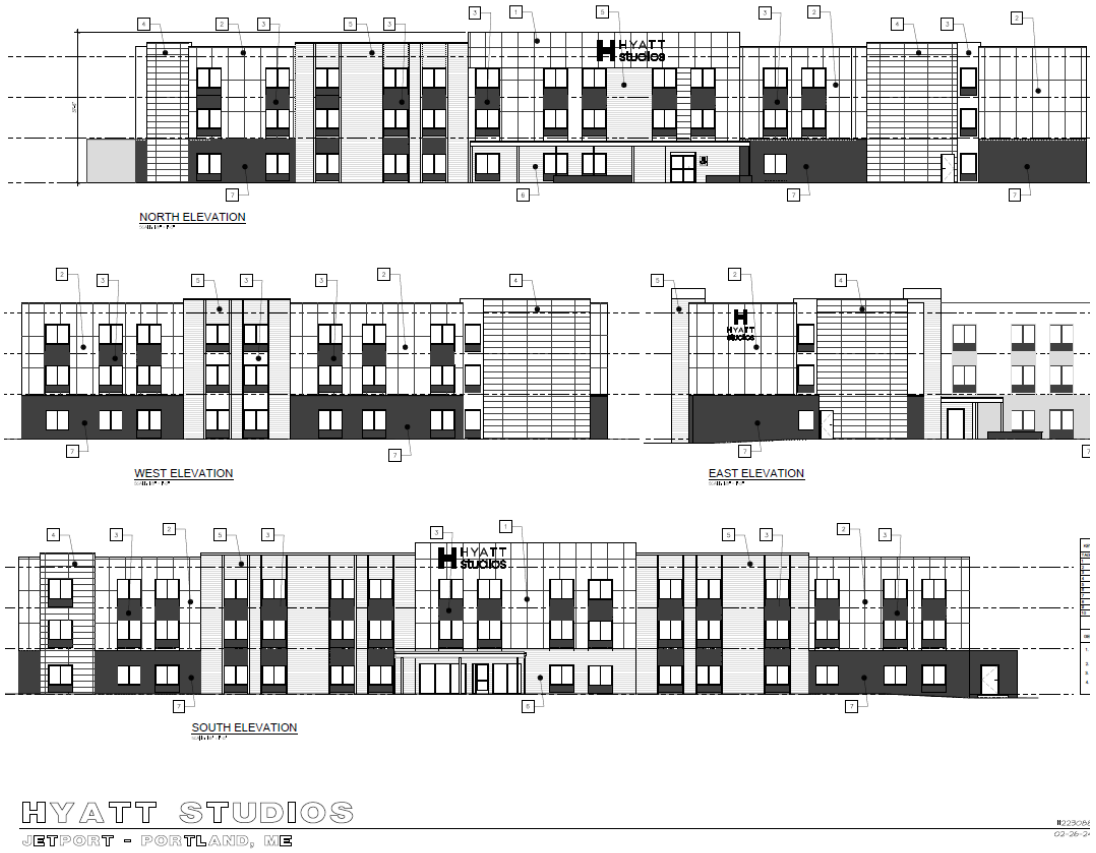
Colliers Executive Summary

Airport Hotel Project



An in-town, select service hotel. These hotels typically feature quality guestrooms, free Wi-Fi, small fitness centers, and lobby areas, along with limited food and beverage options, such as complimentary breakfast or a grab-and-go market.

- **Current Fee**: The current fee of $4,831/key generates sufficient returns, which may allow higher linkage fees.
- **Middle Fee**: The middle fee of $13,831/key produces near breakeven returns, but additional increases may not be possible.
- **High Fee**: The maximum fee of $28,835/key is not feasible for a hotel project of this scale.
- **Breakeven Fee**: If the target return hurdles are a minimum 20.0% Levered IRR and a 7.5% Trended Yield on Cost, the Linkage Fee is $13,000/key.
- **Conclusion**: The limiting factor is the low RevPAR and lack of additional revenue compared to the Urban Hotel Project.

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Executive Summary

Airport Hotel Project

Low Linkage Fee	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($24,717,914)	$21,529,942	13.94%	1.90x	Yield on Cost: 8.46%
Levered	($9,887,661)	$15,375,029	22.79%	2.34x	
Limited Partner	($10,305,262)	$11,793,888	20.75%	2.14x	
Sponsor	($1,145,029)	$3,581,142	35.50%	4.13x	

Middle Linkage Fee	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($25,834,623)	$20,461,942	12.82%	1.82x	Yield on Cost: 8.10%
Levered	($10,333,219)	$14,258,320	19.78%	2.20x	
Limited Partner	($10,706,264)	$11,208,479	18.18%	2.05x	
Sponsor	($1,189,585)	$3,049,841	30.38%	3.56x	

High Linkage Fee	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($27,733,487)	$18,649,450	11.09%	1.70x	Yield on Cost: 7.54%
Levered	($11,094,660)	$12,359,456	15.54%	1.98x	
Limited Partner	($11,391,560)	$10,202,043	14.65%	1.90x	
Sponsor	($1,265,729)	$2,157,413	22.15%	2.70x	

Breakeven @ $13,000/Key	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($25,743,445)	$20,549,662	12.91%	1.82x	Yield on Cost: 8.13%
Levered	($10,297,017)	$14,349,498	20.01%	2.21x	
Limited Partner	($10,673,682)	$11,256,267	18.37%	2.05x	
Sponsor	($1,185,965)	$3,093,231	30.79%	3.61x	

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Executive Summary

Prototype Hotel Project



A downtown, full-service hotel offer a wide array of amenities and services, including on-site restaurants, room service, fitness centers, spa, concierge services, and meeting and banquet rooms.

- **Current Fee**: The current fee of $4,831/key generates sufficient returns, which may allow higher linkage fees.
- **Middle Fee**: The middle fee of $13,831/key generates sufficient returns, which may allow higher linkage fees.
- **High Fee**: The maximum fee of $28,835/key generates sufficient returns, which may allow higher linkage fees.
- **Breakeven Fee**: If the target return hurdles are a minimum 20.0% Levered IRR and a 7.5% Trended Yield on Cost, the Linkage Fee is $30,000/key.
- **Conclusion**: The Prototype Hotel Project has the advantage over the Urban Hotel Project due to increased room count. However, any advantages gained would likely be lost if the project becomes a mid-rise or high-rise construction project due.

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Executive Summary

Prototype Hotel Project

Low Linkage Fee	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($30,915,364)	$32,176,560	15.68%	2.08x	Yield on Cost: 8.44%
Levered	($12,367,079)	$24,436,161	25.38%	2.71x	
Limited Partner	($12,835,311)	$18,428,922	23.02%	2.44x	
Sponsor	($1,426,146)	$6,007,238	39.46%	5.21x	

Middle Hotel Fee	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($31,709,914)	$31,420,060	15.03%	2.03x	Yield on Cost: 8.23%
Levered	($12,682,733)	$23,641,611	23.73%	2.62x	
Limited Partner	($13,119,400)	$18,011,167	21.58%	2.37x	
Sponsor	($1,457,711)	$5,630,444	36.92%	4.86x	

High Linkage Fee	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($33,057,433)	$30,136,211	14.00%	1.94x	Yield on Cost: 7.90%
Levered	($13,222,939)	$22,294,092	21.21%	2.47x	
Limited Partner	($13,605,585)	$17,302,295	19.40%	2.27x	
Sponsor	($1,511,732)	$4,991,797	32.82%	4.30x	

Breakeven @ $30,000/Key	Cash Outflow	Profit	IRR	Equity Multiple	
Unlevered	($33,165,399)	$30,037,195	13.92%	1.94x	Yield on Cost: 7.87%
Levered	($13,267,099)	$22,186,125	21.02%	2.46x	
Limited Partner	($13,645,329)	$17,245,424	19.24%	2.26x	
Sponsor	($1,516,148)	$4,940,701	32.50%	4.26x	

Hotel IZ Feasibility Study

Discussion

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Hotel IZ Comment

ate Sykes <ksykes@portlandmaine.gov> Tue, Jul 8, 2025 at 11:15 AM
Reply-To: ksykes@portlandmaine.gov
To: planningboard@portlandmaine.gov

Chair Mazer and Members of the Planning Board,

Thank you for allowing me the opportunity to comment briefly on the proposed revision of the Hotel Inclusionary Zoning ordinance on your agenda this evening.

While tonight's workshop is introductory, it is foundational. Your insight will help the Council determine whether this policy becomes a meaningful tool or remains a symbolic gesture. I thank you in advance for your close attention to this complex issue.

Since 2019, over 880 hotel rooms have been permitted in Portland, generating an estimated 546 jobs, yet no affordable housing has been produced directly under this ordinance. Developers have instead exclusively opted for fee-in-lieu payments that fall far short of meeting the need for housing created by these developments.

The staff memo in your packet presents a thoughtful review, but key assumptions in the fee model distort the impact.

First, hotel jobs typically pay $32,000–$40,000 annually, far below the 80% AMI benchmark currently used. This misalignment shrinks the affordability gap and depresses the fee.

Second, the "affordability gap" methodology used to calculate the $13,731 fee reflects *only a single year* of housing need. Staff point out that using a "unit equivalency" methodology would produce an estimate of $159,000–$195,000 per room, exceeding what is currently feasible. But it does not follow that the only alternative is a one-year affordability gap fee. There is room—and responsibility—to set a standard that better reflects the long-term housing impact of hotel development.

I respectfully urge the Board to:

- Recommend a per-room fee that, if using the affordability gap model, reflects multiple years of housing need;
- Adjust modeling to use lower AMI thresholds, consistent with actual wages in this industry;
- Request that future staff reports include unit production projections alongside fees collected to better connect the policy with housing outcomes.

Finally, it must be reiterated that Portland is not in a state of market equilibrium. We are in a deep housing affordability crisis. Under these conditions, a fee that simply conforms to what the market will tolerate is not sound policy, and risks becoming a subsidy for the very market dynamics that are driving displacement.

Inclusionary zoning will not solve this crisis, but it can be a meaningful tool, if we are honest about its limits, and if we refuse to let symbolic compliance substitute for real impact.

Thank you for your consideration.

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Read the District 5 Insider newsletter and keep up to speed on issues working their way through Council Chambers.

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